

STATE OF CALIFORNIA
OFF-HIGHWAY MOTOR VEHICLE RECREATION COMMISSION
MEETING MINUTES SYNOPSIS - UNAPPROVED

March 23, 2013

Start time at 9:03 a.m.

Holiday Inn
1900 Hilltop Drive
Redding, CA 96002

IN ATTENDANCE:

OHMVR COMMISSIONERS:

Paul Slavik, Chair	Breene Kerr, Vice Chair
Ernest Cabral	Kevin Murphy
Edward Patrovsky	Diana Perez
M. Teresa Villegas	

CALIFORNIA STATE PARKS:

Major General Anthony L. Jackson, Director
Aaron Robertson, Chief Deputy Director
Claire LeFlore, Chief Counsel

OHMVR DIVISION STAFF:

Phil Jenkins, Chief
Maria Mowrey, Acting Administrative Chief
Kathryn Tobias, Legal Counsel

OTHER OHMVR STAFF AND REGISTERED VISITORS

1 **AGENDA ITEM I - CALL TO ORDER at 9:03 a.m.**

2 CHAIR SLAVIK: We have a lot of new faces, going
3 to have a lot of discussions today about some things
4 that have really piqued the interest of the folks. We
5 have new commissioners. We have a new director. We
6 have a deputy director that's relatively new, and we
7 have a brand-new deputy director for OHV, who won't be
8 with us today because he's still got business to take
9 care of.

10 We're going to do the pledge of allegiance.
11 Kevin is going to lead us.

12 **AGENDA ITEM I(A) - PLEDGE OF ALLEGIANCE**

13 Commissioner Murphy led.

14 **AGENDA ITEM I(B) - ROLL CALL**

15 All seven Commission Members present.

16 CHAIR SLAVIK: I can't tell you how pleased I am
17 to have a bunch of commissioners up here with us. It
18 was looking pretty sad here about a month ago.

19 And I can't tell you how pleased we are to have
20 General Jackson here with us, the Director of
21 California State Parks. He's relatively new. Most of
22 you I think all know his background. We're really
23 excited, General, that you can be with us, and
24 Aaron Robertson is going to be with us, the deputy
25 director.

1 We see a new direction. We've had a chance to
2 talk to these folks. We've had a chance to meet with
3 them, and I think most of us up here that have had that
4 opportunity are really excited about the future of OHV
5 and State Parks of California.

6 I'd like to start off with the introduction of
7 the new commissioners. You want to get a start, Ted?

8 COMMISSIONER CABRAL: Yes, my name is
9 Ted Cabral, and originally I was born and raised in
10 Petaluma, California, a little town called Pengrove,
11 just a little north of there nowadays. My family has
12 been in the motorcycle business since 1969, and up
13 until 2009 I was the general manager of the dealership.
14 So I have a very extensive motorcycle background; done
15 a lot of racing and worked for race teams and things
16 like that.

17 The other side of me is that I've been involved
18 in politics on the motorcycle club level with doing
19 environment cleanups such as the SuperFund mercury
20 cleanup site. Up in Technique Creek we had private
21 property. And also I've been named by the Sonoma
22 County Supervisors to be the chairman of the Zone 2A
23 Flood Advisory Committee that deals with watershed
24 issues throughout the Petaluma River basin.

25 So I have experience with both motorcycles and

1 environmental issues, and hopefully I can bring that
2 experience to the Commission. I like to be very fair.
3 I like to hear what everyone has to say. I don't
4 really tolerate myself -- I'm just going to talk
5 personally here, not as far as the Commission, but I
6 just think it's real important as a group that we be
7 civil and be respectful of other people's opinions.
8 And if we can do that, I know we can get some
9 consensus, and we can move forward together and do the
10 things necessary to make this an outstanding program.
11 So thank you.

12 CHAIR SLAVIK: Thank you, welcome to the
13 Commission.

14 COMMISSIONER PATROVSKY: Good morning,
15 everybody. My name is Ed Patrovsky. I'm a retired BLM
16 law enforcement ranger, and I live in Apple Valley,
17 California. And I'm a member of environmental groups,
18 but I also like to ride. And I hope to bring my
19 experience and viewpoints to the Commission. And I
20 very much appreciated Ted's remarks about being civil
21 and working together. I think there is a lot of common
22 ground that we can establish win/win situations. Thank
23 you.

24 CHAIR SLAVIK: Thank you. Commissioner Murphy.

25 COMMISSIONER MURPHY: My name is Kevin Murphy.

1 I'm from Morgan Hill, California. I just want to thank
2 the Governor and the General and the Division for my
3 appointment to the OHV Division. I'm a professional
4 flyer captain. I'm also a business owner. I'm a
5 lifelong OHV user. I'm just excited to be here and be
6 able to serve the people of California.

7 CHAIR SLAVIK: Thank you.

8 Now, we're going to have the Commissioners'
9 reports in a little bit later, but we need to do the
10 approval of the agenda.

11 **AGENDA ITEM II - APPROVAL OF AGENDA**

12 CHAIR SLAVIK: So we have a couple of agendas
13 here that we have to talk about. September 15th
14 agenda, do we need to have a motion for approval? I'm
15 sorry, the minutes, let me back up. I'm getting ahead
16 of myself.

17 Approval of the agenda, today's agenda. Anybody
18 have any questions about today's agenda? We don't need
19 to vote on that, correct? Everybody likes today's
20 agenda.

21 **AGENDA ITEM III (A) 9-15-12 MINUTES**

22 CHAIR SLAVIK: All right. Then we'll move to
23 the approval of the minutes for September 15th. The
24 reason we didn't approve those minutes because we had a
25 cancellation of a meeting, correct? We didn't get a

1 chance to do that.

2 CHIEF JENKINS: Correct. There were various
3 issues, but you should have a full set now.

4 CHAIR SLAVIK: Right. May we have a motion to
5 approve the minutes for September 15th?

6 COMMISSIONER KERR: So moved. They're a lovely
7 set of minutes.

8 COMMISSIONER PEREZ: I'd like to second.

9 CHAIR SLAVIK: Vote.

10 COMMISSIONER CABRAL: I'll have to abstain since
11 I wasn't at that meeting.

12 CHAIR SLAVIK: All abstaining besides?

13 COMMISSIONER MURPHY: I'll abstain.

14 COMMISSIONER PATROVSKY: I abstain.

15 CHAIR SLAVIK: Mr. Patrovsky abstains.

16 (Commissioners simultaneously voted.)

17 CHAIR SLAVIK: We have a vote, so we approve the
18 minutes. Commissioner Perez, she is nodding her head
19 aye, so the minutes pass.

20 **AGENDA ITEM III (B) 12-1-12 MINUTES**

21 CHAIR SLAVIK: Then we have the December 1st
22 minutes. And I believe you guys, you're still on the
23 same situation. Get a chance, weren't there.

24 COMMISSIONER MURPHY: Abstain.

25 CHAIR SLAVIK: So we have three Commissioners

1 that have abstained.

2 COMMISSIONER KERR: Move approval.

3 CHAIR SLAVIK: Second?

4 COMMISSIONER PEREZ: Second.

5 (Commissioners simultaneously voted.)

6 CHAIR SLAVIK: And it carries. That probably
7 didn't sound like --

8 COMMISSIONER KERR: I'm voting yes on that.

9 **AGENDA ITEM IV(A) - INFORMATIONAL REPORTS -**

10 **COMMISSIONERS**

11 CHAIR SLAVIK: Moving to Item 4, Informational
12 Reports of the Commissioners. If you have anything to
13 report, Commissioners, this would be the time to do it.
14 And if Teresa Villegas would like to start.

15 COMMISSIONER VILLEGAS: Just have one item to
16 report. On January 30th, both Commissioner Perez and
17 myself had a conference call with State Parks
18 Commissioner Carol Hart just discussing ongoing issues
19 with both agencies in trying to share information about
20 our commissions and related with budget as that moves
21 forward. We have a pending meeting for April 5th with
22 Senator Lara, trying to get him to be a co-author on a
23 piece of legislation, and I'll be reporting the details
24 on that once it's done.

25 COMMISSIONER KERR: I'm going to let you discuss

1 our meeting with the Forest Service, and then we had a
2 meeting where we tried to facilitate communication with
3 them.

4 We also met with General Jackson, and thank you
5 for coming again today. I'll thank you personally for
6 coming yesterday and today. It's very much
7 appreciated, and thank you for appointing our new
8 Division assistant director.

9 So the only thing that I have to add to that is
10 that I did tour Hungry Valley recently. There's been
11 some issues we've been discussing kind of peripherally
12 about potential land swap with the Forest Service. So
13 my general impression of the Hungry Valley facility is
14 that it's much improved from my last visit several
15 years ago. The facilities are quite large, 25,000
16 acres, and I think it's important that we continue to
17 talk with the Forest Service about better integration
18 with their properties, but we do have a lot of property
19 there already.

20 Last comment I have, I would like to see better
21 employee training, particularly getting more of the
22 executives at that facility out on the trails, and I
23 have mentioned that to Jeff. A couple of the senior
24 managers down there don't actually ride motorcycles,
25 but I guess we can get them out, drive them around in a

1 side-by-side or something.

2 But I would like to compliment the staff on the
3 newly-constructed single track trails, and again that
4 facility continues to improve. It's an important
5 resource to the citizens of Los Angeles. And that
6 concludes my report.

7 CHAIR SLAVIK: I'll go last here. But
8 Commissioner Patrovsky, his first actual official
9 assignment was last Saturday at the Onyx acquisition
10 scoping meeting. Would you like to mention something
11 about that?

12 COMMISSIONER PATROVSKY: Well, I enjoyed the
13 tour Dan Canfield and Peter put on for Paul and myself.
14 And we toured not only the acquisition area but the
15 Jawbone/Dove Springs area, which I used to patrol as a
16 BLM ranger out on the Ridgecrest. And I hadn't been in
17 this area for about ten years, and I got to see
18 firsthand some of the vehicle controls and the route
19 restoration that the Friends of Jawbone have been
20 doing. And I was really pleasantly surprised by the
21 quality of the work and just an example of how with
22 good management and cooperation, that things can
23 improve over time. So I enjoyed the visit to the
24 acquisition area, the proposed acquisition, and it was
25 very informative and appreciate it. Thank you.

1 COMMISSIONER PEREZ: Thank you. I'm going to
2 try to keep this in order. I do have a number of items
3 that I would like to share. I was on the telephone
4 conference with Commissioner Villegas and
5 Commissioner Hart. I also had a conversation with Matt
6 Webb from Boating Waterways on January 9th. I attended
7 a Coastal Commission meeting in Pismo Beach on
8 January 9th, 10th, and 11th, and I had the pleasure of
9 seeing the General Jackson there and other staff, so I
10 attended that. There was also a meeting mixer where I
11 participated and met with the Coastal Commissioners.

12 On January 15th, I met with Oceano Dunes staff
13 and got an update on the park.

14 January 16th, I attended a presentation by the
15 Air Commission Control District from San Luis Obispo.

16 On January 17th, I met with a supervisor from
17 San Luis Obispo, Paul Teixeira.

18 On January 22nd, I had lunch with a resident
19 from the Nipomo Mesa area.

20 And on January 23rd, I took a tour with
21 Chief Jenkins at Oceano, and that was a great tour. We
22 got to see the dunes again.

23 February 7th, I had a follow-up tour with Will
24 Harris, and I don't know if he's here, but I want to
25 thank Will Harris for a more in-depth tour of Oceano

1 Dunes.

2 February 8th, I met with the mayor of Grover
3 Beach, Debbie Peterson.

4 On February 14th, I have a reoccurring meeting
5 with a supervisor from San Luis Obispo County sheriff,
6 I met with him again.

7 February 27th, I met with another
8 San Luis Obispo supervisor, Bruce Gibson.

9 On March 7th, I met with City Council Member
10 from Atascadero, Roberta Fonzi.

11 On March 8th -- I didn't have an opportunity to
12 attend the Kern County acquisition meeting on
13 March 16th, but I want to thank Superintendent Jeff
14 Gaffney because he did provide me with a tour of the
15 area, probably a shorter tour, but I did get an
16 opportunity to see it, so I went out there.

17 And hang in there with me, I'm almost done, five
18 more pages -- not five, one more.

19 On March 14th, I once again met with Supervisor
20 Paul Teixeira.

21 And on March 15th, I coordinated a
22 teleconference with Chief Jenkins and a few of the
23 supervisors from San Luis Obispo, Debbie Arnold,
24 Paul Teixeira and the Mayor from Grover Beach,
25 Debbie Peterson.

1 And, let's see, and the last piece is I do live
2 in the area, as you can tell. And I did have an
3 opportunity to speak with many of my colleagues who
4 live in the Nipomo Mesa area or nearby, so I had the
5 opportunity to speak to local residents, to business
6 owners in the area, and folks that live in the Nipomo
7 Mesa area. And I think that the quickest way that I
8 can conclude this -- and this is my quick summary -- is
9 that I was quite pleased that after meeting with
10 various leaders from the area, the residents and
11 business owners, that there is great support for
12 California State Parks and the Oceano SVRA from what I
13 call the silent majority.

14 So certainly I'm obviously interested and
15 willing to listen, as the Commissioner said here, and
16 there's a couple of things that I would like to see in
17 my process of learning. I would like to see the
18 opportunity to purchase the La Grande tract in that
19 area. I know that's been on the table, and I'd like to
20 see maybe if we can make that happen. I think the
21 sense that I received from the community is that the
22 community is ready to move forward and hopefully get
23 some things done and resolved. And I think there is
24 excitement about having General Jackson on board.

25 And I'd also like to see if we can -- there's a

1 project, Pismo Beach Visitor Center, I don't think
2 that's the official name, but I think that I'd like to
3 see that be completed and the permits approved by the
4 Coastal Commission and moving forward with that
5 project. I think everyone is ready for that, and I
6 think it's coming to the Coastal Commission this fall.

7 And hopefully a resolution at some point on the
8 dust rule, I know that's somewhat of a complicated
9 issue, but in the last couple of months, that's what I
10 learned and been able to get me to this point, and so
11 it's been a great learning experience.

12 And I do want to send a message to my fellow
13 Commissioners, there is great value in getting to know
14 the local area and meeting with folks. I think they
15 get a sense that we're listening and participating, and
16 so I would encourage my fellow Commissioners that if
17 you're near OHV recreation, I think it is important to
18 show them what we're working toward as a team to move
19 forward. Thank you.

20 COMMISSIONER KERR: Chief, that was a topic that
21 was part of that presentation, which was the issue of
22 the county ownership of a great deal of our SVRA down
23 there, I think we lease it for a dollar per year or
24 whatever we do. I know the county doesn't want it.
25 They want us to fully operate it, maintain it, and

1 police it. But where are we on this potential
2 acquisition of this property that everybody thinks we
3 own but we actually don't?

4 CHIEF JENKINS: We have been operating it for
5 decades, and we've had money set aside, so we
6 appropriated money originally to buy the property. The
7 property values went up. It was during the whole
8 boom/bust cycle, so we had a second appropriation.
9 There were two separate appropriations of funding for
10 that. The funding ran out because after we
11 appropriated it, some serious questions were raised
12 about consistency with the local coastal plan.

13 So we've been working with county since then to
14 try to resolve those issues. There was a lawsuit
15 involved in that. We resolved the lawsuit to the
16 90 percent level. It's one of those where there were
17 some hanging questions that may pop up if we were to
18 move forward again.

19 The long and short of it is, the money we
20 appropriated to purchase it expires at the end of this
21 fiscal year. And so it's one of those ironic timing
22 things that now the county with the recent change in
23 some of the members of the board of supervisors is very
24 eager to engage with us again and complete the
25 acquisition.

1 It would require some really fast moving in the
2 last week. So since Diana has set up this meeting,
3 I've been trying to figure out is it at all possible.
4 And what we're hearing is that in order to get through
5 all of the steps with appraisals, because we would have
6 to update the appraisal, we have to get before the
7 Public Works board and get scheduled for site selection
8 and acquisition, I just don't see that that's
9 physically possible at this point to accomplish by the
10 end of the fiscal year.

11 CHAIR SLAVIK: Commissioner Perez, first of all,
12 let me thank you for that report. And I would say
13 you're a poster child for an engaged commissioner, and
14 I hope all of the rest of us can emulate that. Thank
15 you.

16 COMMISSIONER PEREZ: I guess my question would
17 be can those funds be re-appropriated?

18 CHIEF JENKINS: There is a mechanism where funds
19 can be re-appropriated. Typically, if that were going
20 to be in the process, that's something that the
21 Administration would begin working on early in their
22 budget cycle, and so that is something that happens
23 outside of our purview. That's something that happens
24 at the higher level of administration. So that is
25 really nothing I can comment with any authority on

1 because that is a process that would happen higher up.

2 They can come to us and ask us questions. We
3 can provide technical advice, but we cannot promote.
4 That sort of thing has to happen at the level where the
5 decision makers are at about how those budgets work
6 together.

7 COMMISSIONER KERR: So is that an Assembly
8 committee like Rich Gordon's committee or?

9 CHIEF JENKINS: I want to defer to Deputy
10 Director Robertson.

11 COMMISSIONER KERR: Just tell me what we can do,
12 and then we'll move on.

13 DEPUTY DIRECTOR ROBERTSON: Right now, we're
14 working with the Department of Finance and the
15 Administration with the re-appropriation of the
16 dollars, so we're in the process with a number of
17 folks. We have sent letters of support for this, and
18 we're working with the Administration right now in
19 terms of prioritizing where this fits with the larger
20 budget picture.

21 COMMISSIONER KERR: If there is anything to be
22 gained on the legislative side, will you guys let me
23 know if I can help?

24 CHIEF JENKINS: Thank you.

25 CHAIR SLAVIK: I haven't been quite as busy as

1 Commissioner Perez, let me run down my list here.

2 On the 18th of January, I met with the then
3 chair of the Boating Waterways Commission, Matt Webb.
4 We had a nice discussion. It turns out he didn't get
5 renominated, so we'll start all over again there.

6 But I was talking to Mr. Robertson this morning,
7 and we're very much inclined to try to get all the
8 commissions together to talk about our commonalities,
9 what we can do to further the goals and missions of
10 General Jackson for the new future of State Parks in
11 California.

12 After that, Commissioner Kerr and myself had a
13 chance to meet with the new director. At the time he
14 was brand new, and we went up to Sacramento; had a nice
15 visit. Aaron Robertson was in that meeting, as well as
16 Phil Jenkins. And we got a chance I think to talk
17 about our priorities and learn his background. He got
18 a chance to hear little bit about our background. We
19 thank you for that opportunity and that open-door
20 policy.

21 Right after that, Commissioner Kerr mentioned
22 that we had a talk with the Forest Service, Ramiro
23 Villalvazo, a very nice man, very engaging man, but
24 typical Forest Service he can't really do a lot of the
25 things that we would like them to do. But he listened.

1 He was very gracious, and I think we got our point
2 across that the OHV community would like to hear more
3 from the Forest Service. There's a lot of folks out
4 there in our community that ride on Forest Service
5 land, and they're affected by their policies
6 continually. They go to meetings. They hold events
7 and things go on continually that they have an effect
8 on. We need to at least have a representative here to
9 be able to talk about that.

10 After that, I had an opportunity to go to the
11 King of Hammers, and we're going to have a little
12 presentation on that little bit later in the program.
13 But an incredible event, and I think we've got some
14 good video. It's kind of exciting. And we hope next
15 year, General and Mr. Robertson, that you're going to
16 be able to attend that. I think you'll get a big kick
17 out of it. Awesome event.

18 I did get an e-mail from Karen Schambach, and it
19 turns out her brother was killed in a motorcycle
20 accident, of all things. It turns out that the funeral
21 was in the church that my family and I go to in
22 Huntington Beach. What a small world it is. I ended
23 up attending the funeral, the grave-site service on a
24 very rainy day in Southern California. I don't see
25 Karen here. I thought she was going to attend. So

1 that was a sad thing.

2 And then just recently, last Saturday, Ed
3 Patrovsky and myself had an opportunity to tour the
4 Onyx acquisition. Ed talked about it. I'll have to
5 say that it was just an incredible opportunity that we
6 have here for the future of OHV and State Parks in
7 general, which is to acquire land and property that has
8 been ridden on for 40, 50 years, a lot of it illegally
9 because it was private land. But we now have an
10 opportunity to throw a lasso around this place and
11 manage it under one consistent management policy. And
12 I'll have to say thank you, Dan Canfield and Peter
13 Jones, both for an amazing tour and all of the work the
14 whole staff went into with the public scoping meeting,
15 as well.

16 And then lastly, Thursday night, the reason I
17 wasn't able to attend the tour yesterday because I
18 attended a celebration dinner for the San Bernardino
19 National Forest Association, which is one of our
20 grantees. They're recipients of our grants. And just
21 a real quick thing about that, when I worked for the
22 American Honda Motor Company, we were approached by the
23 Forest Service, and this was San Bernardino, which is
24 right at the heart of the L.A. Basin, and they were
25 looking for some help because they were literally

1 overwhelmed with visitors. It was a forest that was
2 being loved to death. Especially in the summertime,
3 the motorcyclists, ATVers, four-wheel drive people,
4 that's where they went because the desert was too hot.
5 So, anyway, they decided to start kind of a
6 ground-breaking association of volunteers. And they
7 needed startup money. Honda was very generous, got
8 started with that. Rick Lavello is here right now,
9 their OHV program manager, and he's going to talk a
10 little bit more about it later. But I'll have to say
11 it was just an awesome event, over 200 people were at
12 this event celebrating this anniversary, this 20-year
13 anniversary for what has turned out to be the largest
14 scale volunteer association, not just OHV, but several
15 other program parts of that association, largest scale
16 volunteer association on any national forest in the
17 United States. So it was just a wonderful event to be
18 part of, too.

19 So that kind of ends, I think, the
20 Commissioners' report. And I would say I've been
21 trying to get ahold of Carol Hart, and we need to make
22 that connection.

23 Now, I would like to ask the General to
24 introduce himself and give us your vision. We are so
25 happy you're here.

1 DIRECTOR DIRECTOR GENERAL JACKSON: Can you hear
2 me way over there? Okay. So I'm going to stand up.
3 Unless you need the mike, I'm going to eschew the mike.
4 You didn't know Marines knew words like that. He
5 doesn't. I'll teach him in the car on the way back.

6 First of all, it's a great privilege and thanks
7 for the invitation to come here. It's a great
8 privilege to serve you, what I'll call the people of
9 California, and all of the people who are interested in
10 State Parks and the off-road vehicle community.

11 I want to really emphasize that when you look at
12 State Parks, and you all know what the headlines have
13 been over the few months before I got to State Parks in
14 November, and so there's a lot of work to be done. But
15 let me say first of all foremost there are great people
16 in State Parks who really want to serve the public
17 well. I think there was a crisis, what I would call in
18 short order a crisis of leadership, and so it was both
19 the Governor and the Secretary of National Resources
20 figuring that if they landed the Marines, the situation
21 would soon be well at hand.

22 And meanwhile I was out enjoying our State
23 Parks. I retired in January of 2012 after 36 years
24 seven months and one day of service; I didn't count,
25 and going to many far-off distant lands serving the

1 American people. And it was an extraordinarily
2 gratifying 36-plus years, and I was very happy when I
3 retired. And I had bought an RV, and I got on the road
4 to see California State Parks.

5 Before I got any further north than Chico, I had
6 put in about 10,000 miles in the lower two-thirds of
7 the state, I got a call, and that was when I, again,
8 put service before self. And loving State Parks and
9 being married to a native Californian who really loves
10 the State Parks and getting her permission to come out
11 of retirement, something that I didn't do in 1975 when
12 I joined the Marine Corps, and I've been paying the
13 price for that ever since.

14 But I believe that there are four parts to State
15 Parks. There is the State Historical Preservation,
16 there's the Parks and Recreation itself, and now
17 July 1st Boating and Waterways will be under us, and
18 the Off-Highway Vehicle.

19 So I look at those, each and every one of them,
20 now that I am the director, I love them all. And I'm
21 going to devote the same amount of energy to Parks and
22 Recreation, to Boating and Waterways, as I'm going to
23 devote to OHV. I'm going to be here for you. I've got
24 an open-door policy. Many of the Commissioners have
25 already been up to my office. I'm going to get out to

1 the parks. I've only been to Ocotillo Wells and
2 Prairie City, and some little obscure thing over by
3 Auburn, a little bitty one.

4 CHIEF JENKINS: Mammoth Bar.

5 DIRECTOR GENERAL JACKSON: I don't know if we
6 really own that or not, but the rangers took me there.
7 I've got to take their word for it.

8 Right now I'm the biggest student in State
9 Parks. I probably will be during the course of my
10 whole career, is be a student, listen to you. The one
11 thing you learn as a general is if you go into a room
12 and there's more than three or more people in it, it's
13 highly unlikely you're the smartest person, unless you
14 stack the deck.

15 And I learned to be a listener before I'm a
16 talker, and when you talk be decisive and be clear on
17 what your direction is. And so I'm here as a student
18 and as a listener to hear your concerns and to be able
19 to gather information and knowledge about what's going
20 on to support those things that you all think are best
21 for your community and to build the coalitions to make
22 those things happen.

23 You are in a challenging position, as you all
24 know better than I do, because every time we want to do
25 a land acquisition, we can hear some of the issues.

1 Every time we want to recreate the way that you want to
2 recreate, the people have challenge. It's in
3 California's nature to be active.

4 So what I would suggest -- let me really hit
5 this. You heard of the activism of our Commissioners.
6 My suggestion is that you always show up. You always
7 show up to those meetings where the Coastal Commission
8 is addressing your issues, or whether the Assembly is
9 addressing your issues, and you always show up because
10 your opposition always shows up. You can depend on
11 that.

12 And so I believe in what you do. The
13 preservation of California's cultural and natural
14 resources, educating our public about those things, and
15 promoting healthy outdoor recreational activities is
16 something that is our mission. That's my mission to
17 make sure that it happens in all of its forms.

18 And so I have just put out, and we will give a
19 copy of it, too, in a miniature form, a strategic
20 action plan. And it lays out quite frankly in skeletal
21 form, there are a lot of words that are going to go
22 into a lot of actions, a lot of words. It's going to
23 flush this thing out. But it gives you an idea of my
24 direction for all of you people. If we don't have
25 enough hard copies, you can go to California State

1 Parks website, click on the link, and it will pop right
2 up for you.

3 My most fundamental goals, obviously I have to
4 restore the public trust, your trust in the
5 leadership -- not the people of State Parks, but in the
6 leadership of State Parks. So I have to do that, and I
7 figure I will gain that trust by my actions. And
8 you're going to hold me accountable. You better hold
9 me accountable. If you don't hold me accountable,
10 shame on you, okay?

11 Then the other goals that we have in State Parks
12 besides that is we're going to protect our resources,
13 that includes your resources. And we've got to do a
14 better job of maintaining our facilities. We know that
15 we have a backlog of some over billion dollars in
16 facility maintenance, but we have got a step at a time,
17 we've got to reach out, and we have to improve those.

18 So I always say that one of the strategic goals
19 of mine is to have the cleanest restrooms of any park
20 facilities in the world. Many of you know, if we don't
21 have good clean facilities, you're not going to create
22 a fan there. So I think it's a regeneration project at
23 the same time that I think it's just good health.

24 I want to make sure that we can connect your
25 activities to all Californians. I think we have to do

1 a better job of dragging people out of those big mega
2 offices like Los Angeles, San Diego, San Francisco Bay
3 Area and get them out in our parks. We've got to get
4 their kids out there.

5 The one thing I love when I go out to the OHV
6 parks, I see these helmeted, armored, elbow pads, knee
7 pads, ankle pads, and they're about two feet tall and a
8 blond ponytail coming down their back and they're just
9 zipping around on a little miniature track, up and down
10 the moguls, but we've got to get more of that. We have
11 to reach into a more diverse community. We've got to
12 drag those Oaklanders out. We've got to drag those
13 people from the Latino community from Los Angeles,
14 we've got to get them to our parks because that's the
15 future. If you look at the demographics of the State
16 of California, you will see that there is a changeover,
17 and if we don't get those people out, when they start
18 voting, they're not going to see the relevancy of OHV
19 or Boating and Waterways to them because they don't go
20 there.

21 And unless we, our generation, drags them out of
22 their cities, out of their comfort zones, and convince
23 their parents, we've got the foundations and
24 associations, get some buses into the inner city and
25 take them out to our parks. We've got to have the

1 displays at our parks where parents can sit down in one
2 of our parks and look at a computer screen and see all
3 280 parks. They might be at one, but how do they get
4 to know the other ones.

5 And I want to ask the associations and
6 foundations to help us finance the kind of program
7 where people can sit at some of our parks and explore
8 the other ones and get curious enough to get out to
9 them, and so that they're going to be the future of
10 State Parks. So I want to connect more with the people
11 of California.

12 And, finally, I've got to really fight with our
13 legislature, the Governor's office. You asked about
14 funding for this and that. We've got to fight to do
15 more than have a quarter of our budget come from the
16 General Fund. It would be very difficult for parks --
17 every time you raise fees, you also chase people away.
18 And so we've had declining attendance at our State
19 Parks. And so we've got to do better.

20 I'm wearing a patch, and you'll see a lot of the
21 folks from State Parks who are wearing a pin that marks
22 the 150th anniversary of the best and most wonderful
23 parks system in the United States and one of the best
24 in the world. In 1864, in the midst of the Civil War,
25 President Abraham Lincoln gave Yosemite and Mariposa

1 Grove to the State of California and that was in
2 June of 1864, the height of the Civil War, but he had
3 the foresight to know that we should preserve that
4 property in perpetuity, and we accepted it in
5 September of 1864, the governor did.

6 Next year, the centennial, every park in the
7 state, no matter what the nature of that park is,
8 should have a series of celebrations. That
9 establishment of our park system is the very foundation
10 of preserving the natural resources of this country.
11 It is the very foundation of the environmental
12 movement, which California leads the world in. It is
13 the very foundation of the preservation of culture of
14 various people which we're totally involved in in the
15 State Parks system. And I want us to celebrate that
16 through a series of events that lasts from the
17 beginning of next year until the culminating event
18 hopefully on the Capitol lawns in September.

19 We have a committee that's doing that, and I
20 want the associations, superintendents of parks to
21 think of ways that they can also celebrate the 150th
22 anniversary. So we have a lot to do. We have a blue
23 ribbon panel that is studying ways that we can do
24 things better that will be -- this strategic action
25 plan is designed to carry us through the next couple of

1 years. By October of next year, we should have a
2 vision that carries us through the next 50 to 100
3 years, and we have a blue ribbon panel that's being
4 formed right now regarding that.

5 Finally, I'll just say that today I think in the
6 newspaper the Hoover Commission, the commission
7 established by the legislature to make our government
8 more efficient, they published a 122-page report, which
9 I got a copy last of night and I didn't read it. It's
10 going to be coming out this week, but I got an advance
11 copy of it I think last night. And it has ways --
12 we'll study that to see other ways that we can improve
13 the processes within State Parks.

14 But it's a real privilege. I've been working,
15 trying to get to know all of our various park systems.
16 The worst kind of leadership you can have is from a
17 desk. So I leave Sacramento on Thursdays, get out on
18 Fridays and Saturdays and visit various parks all over
19 the state. I think this is the furthest north I have
20 been so far, but I've been from the desert to the
21 Mexican border of our State Parks, up the coastline and
22 back out to Anza Borrego. And then just keep hitting
23 them until -- I guess there is 280, and we all want to
24 make them grow. Be careful.

25 But it's been a real education so far, and I

1 look forward to continuing to serve all of you. Thank
2 you.

3 CHAIR SLAVIK: Thank you, General. And I think
4 I speak for the Commission, if you could pass on to the
5 Governor and Secretary Laird our appreciation for their
6 recent appointments, and including the new deputy
7 director, and I think we're all in unison about that.
8 We're pretty happy campers at this point.

9 DIRECTOR GENERAL JACKSON: Can I say a couple of
10 words about the new deputy?

11 CHAIR SLAVIK: Absolutely, you're in charge.

12 DIRECTOR GENERAL JACKSON: Until I go home. You
13 know that too.

14 Your new deputy, Chris Conlin, will be the new
15 deputy for OHV. He and I first served in the Marine
16 Corps in 1986 together. Chris is an extraordinary
17 American. When you first look at him, you won't look
18 at him as a steely-eyed warrior. You'll look at him as
19 the guy next door. But let me tell you that he led a
20 battalion of Marines, about 1200 Marines on the
21 March to Baghdad, extraordinarily successful. A lot of
22 Iraqis will remember his battalion.

23 One of the things that really marks him out as
24 an extraordinary leader, after the March to Baghdad,
25 we're talking about 2003, he was given the

1 responsibility to govern a province, which is a state
2 in Iraq, which is a rather large one, Najaf. And this
3 was a very volatile area, and he was the supreme
4 leader, and it had a lot of conflict between the Sunni
5 and the Shiite. And he went in there, and they just
6 told him, you're the governor. And as an infantry
7 officer that would be a pretty daunting task to lead a
8 state with millions of people in it who had been at
9 each other's throats for a long time.

10 But he went in and sat with all of the religious
11 leaders and the political leaders, and for the
12 six months or so that he ran that state, he brought
13 absolute peace to it without violence. And it was
14 pretty incredible when you can still see the headlines
15 today of what happened once he left. And his
16 leadership was such that I was certainly -- he's always
17 been a junior officer to me. He's never worked
18 directly for me. I've only observed him from a
19 distance from a guy that was much senior to him.

20 He's been in charge of the nuclear weapon
21 program within the United States military, and those
22 programs are very easy to trip up and get fired in.
23 And he's just held the highest responsibilities that
24 this nation can give an officer, to lead your children
25 into combat and, secondly, to guard nuclear weapon

1 facilities and to make sure other people are doing it
2 right. So he comes with the highest integrity and the
3 highest intention. And I think, like me, he looks
4 forward to being educated by you all, and so he knows
5 the difficulties with OHV. We can kind of give him a
6 heads up and talk to him on April 4th, when he will be
7 sworn in. And I ask you all to welcome him and be
8 prepared to educate him. I charged Phil with making
9 sure that he gets all the right straight scoop, and
10 Phil is going to be his principal mentor. And he
11 understands that leaders have to be students before
12 they can do anything. So I think you'll be very happy
13 working with Chris.

14 CHAIR SLAVIK: Thank you. I think we look
15 forward to a positive future.

16 We now come to the Division's, the Chief's
17 reports, and what I'd like to do is a little different
18 than what we have in the past, and that is to contain
19 our own comments as commissioners until the very end
20 after the public comment. So there's several items
21 here, and what we're talking about here is the A, B,
22 and C things.

23 So as the Division Chief's reports get started,
24 you notice that there are several items underneath
25 that, please refrain from commenting until we end up

1 hearing the public comment at the end of this whole
2 thing. And then we'll move to the next item, the next
3 capital letter. Is that agreed upon, sound good? That
4 way we hopefully will move this whole process and get
5 out of here in time. We have a lot of work to do
6 today. Chief Jenkins.

7 **AGENDA ITEM IV(B) - REPORTS - DIVISION**

8 CHIEF JENKINS: Thank you, Chair Slavik.

9 Let me just begin by adding my own welcome to
10 the new Commissioners, very nice to see a full palette
11 up there. We've got a couple of more seats we can fill
12 coming up in the near future. It's very nice to have
13 the full palette. And I've had a chance to speak with
14 each of the new Commissioners and am very encouraged.

15 Also, just informally to say from the
16 perspective of a career Parks professional having the
17 new leadership come into the Department, so both our
18 director and chief deputy director, has just been very
19 refreshing. One of the ways you can kind of gauge the
20 level of morale in any organization is to look at the
21 number of people that are leaving the organization, the
22 retirements or transfers, or other things like that.
23 It's not just a numbers game, so this is a deal.

24 I've been watching the number of people retiring
25 in the Department recently, and in some cases there are

1 more retirements and in some cases there are less. In
2 both cases, often it's a good sign, and here is what's
3 going on. Some Parks professionals were refusing to
4 retire until they felt like the Department was in good
5 hands again. Those folks are feeling like they can
6 leave now, they can turn the reins over to somebody
7 that is actually going to run things in the right
8 direction. Some of the other folks that had been
9 saying they're leaving as soon as they can have
10 decided, hey, wait, there's a new program afoot and
11 some of them are extending their time and not retiring.

12 So we're beginning to see some fresh energy,
13 some fresh hope in the Department. It has been a dark
14 year for a number of reasons. And it's just very
15 refreshing, not just here in the OHV program where
16 we're feeling a lot more included and as one family of
17 State Parks, but also a lot of my friends and long-term
18 acquaintances in the Department are just seeing a lot
19 of new hope, so I want to thank you for that, General.

20 And Aaron Robertson has been a big part of that
21 change. He came on board earlier than that and has
22 been working very closely with us at the Division all
23 throughout all of these changes, so I can't thank you
24 enough, as well.

25 So it's a fresh start. We have a lot of fresh

1 faces on the Commission, faces that have been there
2 even for a long time are kind of new. Other than Paul
3 and myself and Breene, I think it's a fairly new
4 commission all the way around. New staff in the
5 Division, new leadership in the Department, there's
6 just a lot going on. And that is so great.

7 It's nice to have the Commissioners' reports
8 take so long because I remember days when they would
9 say Commissioners' reports, everybody would look around
10 and say no. And to have that much going on all around
11 the state is both a blessing and a curse. It's a
12 blessing because I love it, but as the Division being
13 staffed to the Commission here, you're really running
14 us ragged, and we love it. So we'll work all day just
15 to support you guys when you're doing the kind of
16 things that you're doing. So much appreciated by all
17 of our staff.

18 Speaking of enough staff in the program, I'll
19 let Acting Chief Mowrey talk about those new staff.

20 ACTING CHIEF MOWREY: Good morning,
21 Commissioners; Acting Chief, Maria Mowrey.

22 We do have two new employees in the Division,
23 and we've had a few retirements over the past year.
24 The first one is Garratt Aitchison, he's the new
25 district superintendent at Ocotillo Wells. He began

1 his new assignment on February 8th. He does not have
2 OHV experience, but he has already started, and he has
3 started rebuilding that district down in the desert.

4 We also have a new interim district
5 superintendent, Mike Fehling. Bob Williamson burned
6 down his leave balances, so Mike started two weeks ago.
7 That's basically it. Also, I wanted to mention that
8 Claire LeFlore is here. She is our new chief counsel
9 for the Department.

10 CHIEF JENKINS: Thank you. In both of those
11 cases, both of those new superintendents are
12 individuals I've worked with earlier in their careers,
13 and two individuals that I have been trying to drag
14 over to the OHV Division for the last eight years that
15 I've been here. So finally we had a position that was
16 appropriate to their career ladder, so I think we are
17 very fortunate to get those two new superintendents.

18 Right now, of the four district superintendents
19 in the OHV program, three of them have less than a year
20 under their belts as new superintendents, which is in
21 this case good timing because they're coming in,
22 they're just getting their legs under them, they're
23 going to have Deputy Director Conlin who is going to
24 come in, and we're going to be able to form up into a
25 fresh new team. So the timing could not be actually

1 more fortuitous on some of this.

2 Very difficult to lose Bob Williamson,
3 Kathy Dolinar, Andy Zilke. Those three individuals
4 represent some of the most senior superintendents in
5 the State Parks system, so it's a tremendous loss. I
6 wish we had a more formal way to kind of congratulate
7 some of those folks as they leave the service because
8 each of them took their area of responsibility, their
9 district, and just did amazing things in the last eight
10 years. So that is very sad to see them go, but at some
11 point it's time for the next thing, and they all
12 decided it was that time. In all three cases, I
13 believe they stayed well beyond their ideal date.
14 Everybody has a date you plan to retire. Your formula
15 is maxed out. Those individuals stayed much longer
16 than that because they loved the work. It's nice to
17 see new faces coming in, but it's really hard to see
18 that kind of experience walking out.

19 **AGENDA ITEM IV(B)(1)(i) - REPORTS - BUDGET**

20 CHIEF JENKINS: Let me give you just a brief
21 update on where we are with the budget. As most of you
22 saw, on January 10th, the Governor's budget came out
23 with, I think most importantly to the people in the
24 audience, \$26 million identified in the Grants
25 Cooperative and Agreement Program. That's very

1 refreshing given that last year, not because of the
2 Administration but because of actions out of their
3 control, our grants program was reduced to \$10 million.
4 The year before that it was \$21 million. So it's been
5 three years since we've had a \$26 million grants
6 program.

7 \$26 million, as we've seen in the last couple of
8 years with reducing grants program, the effects it's
9 had on grantees at the city level, county level,
10 federal government level, all of those folks that
11 depend on those grants, it becomes very, very difficult
12 when unexpectedly you start having those monies just
13 disappear. Some of those grants are projects but much
14 of that money goes to ongoing operations, so it can be
15 crippling. So to have that level of support come back
16 into the budget, \$26 million proposed, it's already
17 made it through one subcommittee unchallenged over in
18 the legislature, so we're beginning to see some support
19 for that, it's very encouraging that we may have some
20 new life in the budget process.

21 You'll have a grants report here a little bit
22 later on, but we're still facing the difficulty of what
23 we do with this year's kind of small budget of only
24 \$10 million. So the money we were given in the current
25 fiscal year we are about to finish out was \$10 million.

1 We're looking at ways to try to prop that up. We're
2 exploring options. So our hope is we'll be able to get
3 more money out in the field. But right now on the
4 books that's what it is. It's \$10 million this year;
5 \$26 million next year. We'll do the best we can to
6 support as many operations out in the field as
7 possible. Just so you know, that's the struggle that
8 we're dealing with.

9 The rest of the budgets, we're in pretty much
10 the same boat as the rest of the Department is. Our
11 operations budget that we use to run the SVRAs, and the
12 snow parks program, and the statewide law enforcement,
13 statewide sound, statewide environmental compliance,
14 all of the other programs that we run, we're still
15 facing the \$5 million reduction that occurred two
16 budgets ago when we lost the \$10 million out of the
17 program.

18 The rest of the Department is in the same boat,
19 so we're not alone there. It's something that we as an
20 entire department are struggling with. That's why
21 General Jackson was mentioning his efforts to try to
22 get a more stable, better funding source for the
23 Department. That's for all of those programs in the
24 Department that are funded out of General Fund, as well
25 as our program.

1 One of the first places the General Jackson
2 stopped when he came into the program was over in our
3 shop. He came by, and we gave him the OHV 101 briefing
4 that we give all of the new commissioners. For the new
5 commissioners that haven't had it yet, we've got a
6 little one-day college course for you. Aaron and the
7 General both got that same course when they came and
8 are fully aware of where we are with our budget
9 struggles.

10 Maria, am I missing anything on the budget that
11 should be mentioned?

12 **AGENDA ITEM IV(B)(1)(ii) - REPORTS - RECREATIONAL**
13 **TRAILS PROGRAM**

14 CHIEF JENKINS: There is one piece of the budget
15 that has raised some alarm. There is a section in your
16 binders. If you go back to Tab 3, has the budget chart
17 in it, behind that is all of the background information
18 on the budget. Towards the back of the kind of formal
19 column parts to the budget, there is an addendum back
20 there on the transportation, the Governor's Budget
21 Summary Transportation. To find that, go to the second
22 page, 99, is the page number, there's an innocent
23 little piece in there that actually has some pretty
24 interesting implications.

25 It's under the section of that report called

1 Department of Transportation, subheading, "Significant
2 Adjustments", sub, subheading, "Active Transportation
3 Program." In that section of the Active Transportation
4 Program, what is being proposed by the Administration
5 is to take many of the transportation grants that used
6 to be administered by a variety of entities and
7 consolidate those into one streamline. This is all
8 part of the streamlining government operations to make
9 things more efficient, streamlining those programs
10 under one roof, in this case Caltrans would be running
11 those programs.

12 The way it affects potentially our program, the
13 interests of the OHV community, is this will take the
14 Recreational Trails Program, RTP grants, and put them
15 under this consolidated grant application process.
16 That would be managed by the Department of
17 Transportation.

18 The reason that some folks have called us with
19 concern, and I frankly don't have all of the answers on
20 this and it's one of the things that we're trying to
21 find out more about, but it's one of the things that's
22 going to have to almost see how it rolls out and how it
23 all happens in the end. They define active
24 transportation in here as human powered, such as
25 walking and bicycling transportation. How that affects

1 the history of having part of the Recreational Trails
2 Program support motorized activities isn't really clear
3 at this point.

4 All we know is what was put out in the budget
5 and that the overall goal is to streamline the program.
6 And then towards the end of that little section, on
7 page 100, top of the page, you'll see:

8 "The transportation program will
9 streamline this process and fund high
10 priority projects that, number one,
11 reduce greenhouse gas emissions
12 consistent with objectives of 728 --"
13 That's one of those orders that came out about reducing
14 greenhouse gases,

15 "And, two, will provide for
16 safety benefits."

17 I can see room in that kind of a description to
18 fit some of our projects into that description. For
19 instance, when we're promoting -- we'll hear a little
20 bit later about an electric or a renewal energy
21 off-highway park in San Jose. That would fit this
22 description. Some of the work, some of the grants that
23 we have out that promote safety, so some of the patrol
24 and safety stuff that is done by some of the
25 applicants, could potentially be put under this.

1 So we need to do more investigation, need to
2 find out where this is going, just bringing it to you
3 as an informational item because we're receiving so
4 many, many calls on this, you should at least hear that
5 that's in there.

6 We have a chart in your binder at the beginning
7 of that section right under Tab 4, that is that bubble
8 chart with our typical annual budget in there. There
9 are copies of it on the back table for those that are
10 interested. As everybody looks at this, we made sure
11 and put in really large font at the top, that's the
12 Governor's proposed budget. What we've had in the past
13 years, we will get this proposed budget and put it out,
14 and people will lose track and come back years later
15 and think that was the budget.

16 This is still the Governor's proposed budget.
17 It has a long ways to go before it becomes final, but
18 this is our projection of how the money will be
19 provided if this version of the budget were to be
20 approved at the end of the day. I think that's really
21 all I need to say about the budget. I'll move along.
22 If you have any questions in the end, we will come back
23 and address questions on all of the reports.

24 So I've covered budgets. I've covered the
25 Recreational Trails Program.

1 Paul, did Pam make it? So at the end.

2 CHAIR SLAVIK: Let me introduce her.

3 We have the distinct pleasure of having
4 Pam Gluck here, the executive director of American
5 Trails Coalition. I've known Pam for a long time. She
6 lives here in Redding. She's a very busy lady.
7 They're getting ready to put on their national trails
8 symposium in Tucson, Arizona next month. Come on up,
9 Pam, we would like to hear you talk about the
10 Recreational Trails Program, which I know is near and
11 dear to your heart. Come up to the podium, please.

12 PAM GLUCK: Thank you very much. Good morning,
13 Chairman Slavik, so nice to see you again and
14 Commissioners and General, welcome. I look forward to
15 meeting you and look forward to working with you in the
16 future and to your dedicated staff, too.

17 I really appreciate the opportunity to be here
18 today, and thank you so much for talking about the
19 Recreational Trails Program, which is very, very
20 important to American Trails and to the trails
21 community not only in California but throughout the
22 nation.

23 American Trails is a national nonprofit
24 organization, and we work for the benefit of all types
25 of trail users, motorized, non-motorized. And the

1 Recreational Trails Program is a very important program
2 for trails throughout the country. So our national
3 headquarters is right here out of Redding, so thank you
4 for holding your meeting here. This is wonderful. So
5 thank you for inviting me as well, Chairman.

6 And I also serve as the vice-chair of the
7 Coalition for Recreational Trails. And if you're not
8 familiar, I did provide a packet for each of you, as
9 well. And the coalition has been around since '92
10 involved in protecting the Recreational Trails Program
11 and growing it, and it's a coalition of over 30
12 organizations of which 16 of them are very specifically
13 about motorized organizations, organizations that
14 support motorized use. It's one of the greatest
15 coalitions ever when it comes to trails because it
16 brings everyone together, all types of trail uses.

17 Well, we are extremely concerned, and thank you
18 so much for bringing this up about the Governor's
19 proposal to move the Recreational Trails Program to
20 Caltrans. We completely respect what the Governor, we
21 believe, is trying to do to meet the need to
22 consolidate programs. We really respect that. We love
23 what he's proposing, to have more money for active
24 transportation. That's a part of what we do, as well.
25 So we're very supportive of all of that. But we

1 believe that --

2 Well, our understanding of what would have to
3 happen in order for the program to go to Caltrans is
4 that the Governor would essentially opt out of the
5 program. He would either have to choose to keep the
6 Rec Trails Program in Caltrans as it is, as a distinct
7 program with a set amount of money, or he would need to
8 choose to completely opt out of the program, and then
9 those funds would just go into this larger pot of money
10 that he is proposing under Caltrans and under his new
11 Active Transportation Program.

12 So we think California State Parks has been a
13 model in how this program has run. And, in fact, the
14 Coalition for Recreational Trails awarded California
15 State Parks an award in 2011 for best state trails
16 program for running the Recreational Trails Program.

17 And for it to leave and to go to Caltrans, we've
18 heard numbers like the 30 percent that goes to OHV,
19 plus all of the other back country trails that are
20 funded out of the Recreational Trails Program, mountain
21 biking trails, equestrian trails, they would
22 potentially be eligible under this new pot under
23 Caltrans; however, you read the criteria there, and
24 there's going to be tremendous competition for this.
25 And our projection is that those projects are going to

1 get very little funding, if any. So we're talking
2 about a 55 percent cut in protection for recreational
3 trails that are not just active transportation
4 oriented.

5 So speaking from American Trails and the
6 Coalition for Recreational Trails, we're here to find
7 out how we can help with this. We're kind of assuming
8 that you want it to stay in California State Parks, as
9 well. We're here. We're ready to help in any way
10 possible because that's where it belongs.

11 DIRECTOR GENERAL JACKSON: What I'd say is
12 although it's the Governor's budget -- and I work for
13 him so I have to remember that as I speak here. But
14 earlier I said show up, okay? And I really think that
15 it is important for people who may be against a
16 particular thing, when these Assembly subcommittees and
17 committees meet, you should show up to those meetings
18 and state your opinions. It does have influence. They
19 are listening, and they're a willing audience. So I
20 try to visit their offices, and sometimes they ask me
21 for my opinion on things. But it's very important that
22 you show up at those subcommittee meetings where they
23 ask for public comments, to be there. So keep an eye
24 on that schedule, and that's my number one
25 recommendation, to show up.

1 PAM GLUCK: Thank you very much.

2 CHAIR SLAVIK: And we'll have public comment
3 after. I'm sure people will weigh in on that, and then
4 the Commissioners, if you can stay for a little bit
5 longer.

6 PAM GLUCK: Certainly, absolutely. Thank you
7 very much for this opportunity.

8 **AGENDA ITEM IV(B)(1)(iii) - REPORTS - OCEANO DUNES AIR**
9 **QUALITY**

10 CHIEF JENKINS: Thank you. Two more items that
11 I knew you'd probably want to be updated on. One is
12 where we are at Oceano Dunes with compliance with the
13 rule regarding air quality out there. There's been a
14 number of things, and I won't bore you by going through
15 the details. If you have specific questions, I can
16 address those at the end of the presentations.

17 But essentially what's been going on since the
18 last time that we all met, we've been working with both
19 the California Coastal Commission and the Air Pollution
20 Control District, both the staff and the board members
21 there in San Luis Obispo County, trying to continue as
22 we move forward on addressing the goals and deadlines
23 in the rule.

24 There were a number of deadlines at the
25 beginning. When the rule was passed, State Parks

1 raised concerns because they required us to get
2 permits, and we felt at the time that the timelines
3 required to get those permits and the time frames
4 outlined in the rule were not compatible. That it was
5 just by any foreseeable set of circumstances going to
6 be nearly impossible to meet those time frames to get
7 the required permits to meet the required rule in the
8 time frames they had out.

9 At this point, two of those required deadlines
10 for us to receive permits for dust reduction measures
11 and monitoring, et cetera, have lapsed, and so we are
12 technically out of compliance at this point with the
13 rule.

14 The Air Pollution Control Officer Larry Allen
15 and I have been in discussions. We, of course, saw
16 this coming before the date passed on both of those
17 deadlines. He and his staff have been working with our
18 State Parks staff and our consultants and our
19 attorneys, quite frankly, as we try to sort through how
20 we address that.

21 Where we are currently is we have received a
22 letter from the Air Pollution Control District letting
23 us know we're out of compliance, we've missed two of
24 the rules. They're not currently charging us any
25 fines. What they are doing is working with us so that

1 we can provide them a schedule of activities and
2 deadlines of when we perceive that we can provide the
3 necessary information to meet those deadlines that have
4 passed.

5 So at this point we're very hopeful that we're
6 going to be able to give them a schedule that is to
7 their satisfaction. The next meeting of their board is
8 the 27th. So next Wednesday I'll be talking to the
9 board in San Luis Obispo. And I don't know that we'll
10 have the compliance schedule completely outlined, all
11 of the dates settled by that point, but we will
12 certainly be able to report to them where we are,
13 proposed schedule of compliance, and continue that
14 conversation.

15 Part of the reason that we're not able to meet
16 those deadlines is an ongoing discussion we've had with
17 both Resources Agency, California Coastal Commission,
18 the San Luis Obispo Board of Supervisors, all entities
19 involved, Air Pollution Control Board, et cetera, about
20 our need to put up temporary monitoring on the dunes to
21 monitor the wind patterns so we can then use the
22 information we've gathered to design a plan of how to
23 control some of the dust emissions.

24 To date, I would say up until just a few months
25 ago, nobody has been wanting to give us permission to

1 go out and put up temporary monitors. Even putting up
2 temporary monitors has its own ramifications. There
3 are some concerns that provides roosts for predatory
4 birds. There are environmental complications. There
5 were concerns that if we didn't put the monitors in the
6 correct locations, we would end up with junk science
7 that wouldn't really tell us anything.

8 So we've been working over the last year with
9 the various entities that control -- we have to get
10 permits from both the Air Pollution Control District to
11 make sure our data that we collect is something that
12 they can trust as good science, and with the California
13 Coastal Commission on dealing with their rules about
14 what is a temporary structure.

15 And so we are making progress on both fronts,
16 and our hope is to get some mobile monitoring towers
17 out at the dunes in the next couple of weeks if
18 everything works correctly. So what that would be is a
19 trailer-mounted ten-meter tower that would have wind
20 speed, wind direction. Various scientific instruments
21 would hang off of this tower. They're on a trailer, so
22 they're temporary. We can move them into place, anchor
23 them with guide lines, leave them up for part of the
24 windy season either for several weeks or several months
25 at the most, and then take them down and take them out;

1 truly temporary installations that shouldn't require a
2 full-blown coastal permit to have up. That's the
3 debate we're having.

4 By the next time we meet, we should be able to
5 tell you folks whether or not we were successful in
6 getting them out there and hopefully report some of the
7 data that we've collected. And that will point us
8 toward where we need to spend our money to put
9 preventative measures.

10 We've got 1600 acres out there to work in. We
11 could spend \$2 million putting in vegetation for those
12 artificial roughness with hay bales or wind fencing.
13 We could spend \$2 million on that, not put it in the
14 right place, and we've achieved nothing and wasted our
15 money.

16 So our overall program is to ensure that when we
17 spend that money, when we spend that resource, time,
18 and effort, when we manipulate the environment out
19 there, that we're not interfering with the snowy plover
20 population, we're not interfering with ongoing
21 recreation, and that we are doing something that makes
22 a difference to the dust that's kicked up into the air
23 by the wind coming off of the ocean. That's where we
24 are on that. I imagine you'll have some questions when
25 we finish the report here. I'll move on at this point.

1 **AGENDA ITEM IV(B)(1)(iv) - REPORTS - CALIFORNIA**

2 **STATEWIDE MOTORIZED TRAIL**

3 CHIEF JENKINS: The last item I just wanted to
4 touch on was the Statewide Motorized Trail. As we
5 begin to look at both the Triennial Report, which we'll
6 be talking about a little later on in the agenda and
7 our own Division Annual Report, which we should have
8 out soon, besides looking at what deadlines are coming
9 up just around the corner, we are looking at what are
10 the outlying deadlines, and what we're doing to prepare
11 for them because some of them take a lot of ramp-up
12 time. One of those is the Statewide Motorized Trail.

13 In just a moment I'm going to have Sylvia
14 Milligan give us a little bit of background on that.
15 The day I got my position as chief of the Division, I
16 started hearing from Sylvia Milligan, and she gave me a
17 sign that still sits in my office that is the old
18 Statewide Motorized Trail sign. Statewide Motorized
19 Trail, that's a program that's been here for a long
20 time. We'll remember it's been in our legislation, in
21 our California Code of Regulations section ever since I
22 can remember going back into the '80s, that we would
23 develop a Statewide Motorized Trail that would go from
24 Mexico to Oregon, that would allow for somebody to go
25 on an off-highway vehicle, was the original plan, from

1 border to border, so much like some of the hiking
2 trails that do the same things but for motorized use.

3 We had as a Division, when I was in the Division
4 back in the early '90s, been working on this. We were
5 all very excited about it. We just couldn't wait to go
6 out on our trip border to border. It ran into some
7 difficulties in that there's a lot of sections where
8 it's hard to find all of the interlinking pieces. And
9 as we began to be better at figuring out where we need
10 to do our environmental documentation, we realized that
11 this would truly take one of those programmatic
12 statewide EIR/NEPA because we'll be crossing federal
13 line processes to accomplish.

14 So over the years, we've tried to start and
15 stopped, tried to start and stopped and just haven't
16 been able to make great progress. Sylvia Milligan has
17 been my cheerleader, my goad all of this time to not
18 let this fall off the page.

19 The strategic plan that we all reviewed, you
20 approved as a Commission, calls for us to get the
21 Statewide Motorized Trail in place by 2020. We've got
22 a little time to work. We're going to need every bit
23 of that if we hope to achieve that goal. There are
24 places up and down the state that have pieces of the
25 original envisioned Statewide Motorized Trail. We

1 can't really go out right now and fund work on the
2 Statewide Motorized Trail because we would, in fact, be
3 piecemealing the project.

4 So what we need to do is begin to get a
5 subcommittee of the Commission perhaps, get a task
6 force from the Division, get some interested members of
7 the community and ascertain how much interest is there
8 still in the community, pursue this. It would be an
9 expensive undertaking. How can we approach it
10 technically to ensure that we have the correct
11 environmental process, much like we did with the
12 Statewide Motorized Snow EIR recently we had to do with
13 this, and how do we secure the funding for it.

14 So, Sylvia, would you like to give your
15 perspective of the Statewide Motorized Plan?

16 SYLVIA MILLIGAN: It's gotten to the point that
17 every time I look at Phil, he knows what that means.

18 Anyway, we've been working on this for a long
19 time. We already have the trail complete from the
20 Oregon border down to the Sierra County line. And when
21 I was at an SVAC meeting earlier this month, I met the
22 new supervisor from Sierra County and mentioned to him,
23 and he said I don't know anything about this trail. I
24 said you're going to.

25 We already have the line through Tahoe. I work

1 with a guy that's a retired Forest Service traffic
2 engineer. He has done this. Let me tell you, he's
3 done an incredible job. And the commission just
4 recently funded Plumas National Forest to complete it
5 through their forest, and they're almost done. By this
6 summer that will be done. So we are connected all the
7 way to Sierra County.

8 My management team that I work with, there are
9 three retired Forest Service people, we're willing to
10 go out -- and, in fact, Dick already has the trail
11 planned. He knows exactly where it can go. All we
12 need is the recognition and to be able to move forward
13 and we're ready. But you know what, we need to do it
14 real soon because Dick is not getting any younger, and
15 he's an incredible man. So I would love to see this
16 continue while you've got the people like myself, my
17 organization, Recreation Outdoors Coalition, and my
18 management team willing to go out there and do the
19 legwork. Thank you.

20 CHIEF JENKINS: A final note on that, there has
21 been some individuals recently that maybe -- John, help
22 me out. Who did the jeep tour for the border recently?

23 JOHN STEWART: Good morning, Commissioners,
24 John Stewart, California Association of Four-Wheel
25 Drive Clubs. I believe the year was 2007. Chris

1 Collard who is the editor of the Overland Field
2 Magazine and Del Albright began a four-wheel drive jeep
3 tour with the goal of sticking to dirt roads from
4 starting at the Mexican border right outside of Yuma
5 and heading north to the Oregon border.

6 As I recall they were only on pavement for maybe
7 30 or 40 miles throughout that direction. But the
8 ability to have a border-to-border trail that is all on
9 dirt roads is there, and it is something that the
10 community would love to see. Thank you.

11 CHIEF JENKINS: I believe you can still go
12 online and read many of the blog posts from that
13 journey. It was really a fascinating thing to read.

14 So the interest is there in some parts of the
15 community. If you all as a Commission have an interest
16 and want to set up a subcommittee, I would love to
17 become personally involved in that and bring some folks
18 together and just test the waters and see if we can do
19 that, see if we can set up something so when
20 individuals want to do that, there is a managed legal
21 way to do it. We don't have to worry about intruding
22 on other non-motorized trails. We can do this
23 responsibly as a community and yet provide a great
24 opportunity. That concludes my report.

25 CHAIR SLAVIK: We need a break.

1 (Returned at 10:43 from a break starting at 10:29.)

2 CHAIR SLAVIK: I kind of jumped ahead of the
3 agenda. We need to finish the legislation report and
4 general plans. We're all the way down to Item No. 7,
5 Proposed Eastern Kern County Acquisition. So what I
6 think we're going to do at this point is we're going to
7 let the public speak about the agenda items that we
8 already talked about so we don't get lost in this
9 process. Are we going to do legislation next, and then
10 we're going to let them talk now or eleven o'clock do
11 the public?

12 CHIEF JENKINS: Chair, I think we have time to
13 give the legislation report very quickly. So you could
14 either begin public comments on the elements of the
15 Chief's report we've already completed.

16 CHAIR SLAVIK: Up to the legislation report.

17 CHIEF JENKINS: Which might take the next
18 15 minutes, which would put us right at eleven o'clock
19 for the agenda public comment.

20 I would suggest we take the comments on the
21 Chief's report already given and collect public
22 comments on that.

23 CHAIR SLAVIK: And then do legislation reports
24 after the public comment.

25 CHIEF JENKINS: I think it's going to take 15

1 minutes to walk through stuff we've already reported
2 on, and that would put us at the public comment at
3 11:00.

4 **AGENDA ITEM - PUBLIC COMMENT ON AGENDA ITEMS I, II,**
5 **III, IV(A), IV(B)(1)(i-iv)**

6 CHAIR SLAVIK: So we're going to do public
7 comment on the agenda items that have already gone.

8 So at this point anybody that's filled out a
9 green public comment card has an opportunity to comment
10 on the agenda items up to this point that we've talked
11 about. If somebody has not filled out one of these
12 cards, this is not an absolute necessity. It's
13 basically for our information so we have the correct
14 spelling of your name and stuff, you still have the
15 ability to get up here and speak your piece.

16 What I'm going to do is call people's names.
17 Please come up and stage or queue, as they say, at the
18 podium, you have three minutes to talk.

19 NICK HARIS: Good morning, Commissioners,
20 General Jackson, Chief Jenkins. It was a great tour
21 yesterday, first of all, and I was really happy to get
22 to participate because I had never been out there.

23 I do not have as good a list as Commissioner
24 Perez. Just touching on the RTP, we did send a letter
25 to the Governor. We sent copies to Commissioner

1 Slavik, General Jackson, Chief Jenkins, as well as the
2 incoming deputy director, outlining some of our
3 concerns with the potential plans.

4 I'm sorry, Nick Haris, American Motorcyclist
5 Association.

6 So the letter has either been received or should
7 be received in the next few days. It was sent from
8 your D.C. office. I won't try to repeat what Pam has
9 said, but we share a lot of the same concerns that was
10 shared on a conference call two weeks ago.

11 Realize that a lot of us are looking at RTP and
12 this potential withdrawal from California participation
13 as a bad sign that a lot of other states may follow.
14 And realizing in California this is an important budget
15 item, but it's not necessarily a large enough of a
16 budget item. But in some states, the RTP program is
17 literally the off-highway vehicle program along with
18 the non-motorized component.

19 So we are concerned with the precedent that it
20 sets as well as just the -- you know, what they're
21 going to do in the future. And I have talked to the
22 Christopher Douwes, who runs the program from the
23 federal level, as well as Kelly Long on a number of
24 occasions just to get a better feel for what's going
25 on. I wish we knew why the Governor was indicating

1 this was in his plan.

2 I won't touch on anything else yet because we
3 haven't got to the agenda item. I did like the Oceano
4 Dunes information a lot. It was very useful. I
5 remember the tour that we did, and a lot of things
6 going on there. It's pretty incredible to hear all of
7 the hoops you have to jump through to put up a
8 temporary monitoring station to follow the rules that
9 you're being asked to follow. I applaud your efforts
10 in that area, so thank you.

11 AMY GRANAT: I'll start when I'm walking, and
12 I'll make mine really quick. Amy Granat, California
13 Association of 4-Wheel Drive Clubs -- sorry, that was
14 the old one; California Off-Road Vehicle Association.
15 You get confused.

16 Congratulations, the new Commissioners, and
17 welcome the general and Aaron, it's great to have
18 everybody here. I'm one of the OHV representatives on
19 the Recreational Trail Program. And in terms of
20 proportion, the RTP program represents for the Governor
21 a minuscule amount of money, but in terms of what it
22 gives back to the people in the current incarnation is
23 huge. There is no proportion. If we can look at what
24 they would be gaining, a really small amount of money
25 just to salve much bigger issues, but what we would be

1 losing is huge. So I think it's really important for
2 the Commission to come out, also. We will all be
3 sending letters to the Governor really stating that the
4 RTP program is very important to all Californians
5 because of what it gives us.

6 And the job that Kelly in California State Parks
7 does in deciding where the money goes is really
8 incredible, and it's been a pleasure to serve on that
9 committee.

10 And I just want to thank whatever influence
11 anyone had with the Governor for putting the
12 \$26 million back in the budget. It's appreciated more
13 than anybody probably can say, so thank you all.

14 PAM GLUCK: Thank you very much. I thought I
15 had three minutes earlier. So Pam Gluck with American
16 Trails. And so I'll just add a couple of more things
17 about the Recreational Trails Program if I may.

18 This is such an important program, and it is a
19 user pay, user benefit program and especially the OHV
20 community. I mean the funds for the whole Recreational
21 Trails Program come from the taxes from off-highway
22 fuel use purchase. And so if the fund goes into
23 Caltrans and there is no longer an RTP program, that
24 means that all of the gas that you are using that are
25 paying your taxes, you are no longer going to be

1 receiving benefit from that ultimately, unless
2 something major changes in the way the program gets run
3 through Caltrans, and they decide to keep it as a
4 distinct program. So this is of major concern to us
5 that this program, that we really could lose this
6 program, and that the OHV community and the back
7 country folks could lose funding.

8 And this funding is -- I mean there are so many
9 projects waiting to be funded, and there's just not
10 enough money here in California and throughout the
11 whole country. So as Mr. Haris said, for California to
12 opt out of the program is like setting a precedent for
13 this to happen throughout the country. So this is a
14 really, really bad thing.

15 And funding through this program is unusual
16 because it allows for funding for maintenance, which we
17 know is so important, and so we would lose that. We
18 would lose the funding for the State Trail Advisory
19 Committee. This program more than any other started
20 in '91 has brought the trails community together
21 throughout the country to get everyone to sit down at
22 the table, motorized, non-motorized and to work
23 together so that we've had great trails throughout the
24 country. It's just -- it will be devastating if this
25 program leaves State Parks. So thank you very much.

1 CHAIR SLAVIK: Pam, just to hold a second.
2 Would you be specific on where these taxes come from
3 just so that people here can understand that.

4 PAM GLUCK: Yes. Every time you put gas in your
5 snowmobile, your ATV, your jeep, yes, any of the
6 motorized off-highway uses, every time you put a
7 dollar's worth of gasoline in it, the tax you pay on
8 that --

9 CHAIR SLAVIK: The federal tax.

10 PAM GLUCK: -- the federal tax goes into the
11 Highway Trust Fund. And it is based on -- this whole
12 program was based on the user pay, user benefit. So
13 you pay in, and you should get a benefit back from it.
14 And that's what will essentially go away.

15 CHAIR SLAVIK: Thank you.

16 JIM BRAMHAM: Good morning, Jim Bramham,
17 California Association of 4-Wheel Drive Clubs. And as
18 a former commissioner, I'm very pleased to see all of
19 you up on the front there. I'm glad it's you, and so
20 welcome. I look forward to working with all of you as
21 we move forward.

22 Specifically when I was on the commission, my
23 pet project was the Oceano Dunes SVRA. I put in a
24 tremendous amount of time working on that. I'm so
25 happy to see that we not only, one, still have that

1 park to take my grandchildren to, but secondly that it
2 is such a focus of the Division and now to a
3 Commissioner. And I ask the Commission to take that
4 special effort to make sure that facility remains open
5 and for public use.

6 It has been so many issues over so much time,
7 and we've ended up fighting this so much more on the
8 global level than the local level. So I'm so glad to
9 see that there is a local person there to make local
10 contact with the folks within the county area and the
11 county leadership. So I want to thank the Commission
12 for that and look forward to working with you on the
13 Oceano issues at any time. Thank you.

14 JOHN STEWART: Good morning, Commissioners, John
15 Stewart, California Association of 4-Wheel Drive Clubs.

16 I'm just going to make a couple of comments on
17 the RTP grants program and the California Statewide
18 Motorized Trail. Quite a bit has been said about the
19 importance of the RTP and I would like to add one
20 particular item, though, is that the RTP grants are
21 more than just a trail work or trail maintenance. They
22 also provide trailhead and restroom facilities at
23 various places along the trails. So there is a broader
24 scope to it than just what the program implies.

25 And my request from the Division if you could

1 make available kind of a snapshot of what the grants
2 are and have been over the past, that might help
3 develop some talking points that would just help to
4 fund the uniqueness and importance of the RTP program
5 to the recreation program community.

6 With the discussion about the California
7 Statewide Motorized Trail, when it was started, the
8 long distance trips were very popular then. Those fell
9 into just took kind of a back seat to shorter,
10 different type of change in recreation.

11 But in the past couple of years, there has been
12 a noted change and shift in the type of recreation that
13 people are pursuing, and this is under the concept they
14 now call overlanding. In other words, people are
15 looking for long distance trips on dirt roads just to
16 get off the asphalt and looking for the dispersed
17 camping opportunities that can be provided.

18 Following through and creating or finalizing the
19 California State Motorized Trail would go a long ways
20 to addressing that growing segment of the marketplace
21 that is looking for the dirt road experience, the back
22 roads away from the congestion of the blacktop and
23 provide more opportunity for dispersed camping either
24 in small groups or individuals. So this is something
25 that is very important to the recreation community and

1 should be pursued. Thank you.

2 DON AMADOR: Don Amador, western representative
3 for the Blue Ribbon Coalition.

4 As a former commissioner from '94 to 2000, I
5 just wanted to welcome the new commissioners up there
6 and General Jackson to this great program. Blue Ribbon
7 is a member of the Coalition for Recreation Trails and
8 certainly we share concerns about opting out of the
9 Recreational Trails Program; think it's a bad idea.

10 And then also as one of my pet projects in the
11 1990s was the California Back Country Discovery Trail
12 Systems. So I'm really glad to see it coming back up
13 and that you're looking at getting more engaged in that
14 program. And just a quick story, before my dad died in
15 March of 1998 from cancer -- he was a World War II
16 vet -- his last outdoor activity in the fall is I took
17 him on the back country discovery trail segment on the
18 Mendocino, which is an alternate route that goes up to
19 the Mendocino Six Rivers National Forest, and that was
20 his last outdoor adventure. So I really want to be
21 part of that, include me in on that, and look forward
22 to getting that back up and running. Thank you.

23 CHAIR SLAVIK: Thank you. Does anybody have any
24 comments concerning the preceding agenda items that
25 haven't spoken? All right. We'll close that portion

1 and move on to the legislation.

2 CHIEF JENKINS: Actually, I think since we're
3 right at eleven o'clock, we can move right into the
4 non-agenda public comments.

5 **AGENDA ITEM - PUBLIC COMMENT ON NON-AGENDA ITEMS**

6 RANDY JORDAN: My time is running already. You
7 count the time when we walk up?

8 CHAIR SLAVIK: We can start it again.

9 RANDY JORDAN: I'm Randy Jordan, Sun Buggies Fun
10 Rentals. We're one of the OHV vendors at Oceano. And
11 basically I want to thank you guys for letting me speak
12 today.

13 I've given you a summary of my concerns at the
14 Oceano site for vendor-related safety only. I want to
15 first say that I am a huge proponent of OHV. I think
16 it's one of the best things we have of instilling
17 family values today.

18 We've been there for ten years. Currently, the
19 park, my guess is, generates about \$400,000 a year in
20 user fees through the vendors. And basically what I'm
21 presenting to you today is information that I sent in
22 2011 before the contract that is currently being
23 administrated was put out and what the changes have
24 been relative to safety as it is to the tourists who
25 rent the vehicles.

1 My concern was then that the new contract was
2 proposing the use of vehicles that had not been used in
3 the park before, which have a track record of being
4 challenging to operate. ROVs were introduced that have
5 a placard right on the dash that says: If you use it
6 on anything greater than 15 degree, severe injury or
7 death may occur. And Oceano is 30 degrees on the back
8 side of every dune. The general public comes in, rents
9 them, they think they're able to operate this here and
10 available, and then get hurt. And it's not good for
11 anybody.

12 My concern is where is the tolerance level with
13 those vehicles, the two-seat ATVs and adolescent ATVs
14 and ROVs where we're going to say that's enough people
15 hurt per rental. That's what we're seeing is an
16 annual, calculable, reoccurring number of injuries and
17 nothing being done to reduce it. No changes in the
18 program, and that's my concern. It's going to be a
19 degenerative effect on the whole program if it's not a
20 reflection on the park if we don't get that under
21 control. We in ten years in our Sun Buggies have never
22 had an adolescent injury, and we are the only vendor
23 who has ever put out zero injury years in the last ten
24 years, and we provide general liability insurance and
25 have since the day we got there, and it's still up in

1 the air whether or not that exists with everybody else.

2 So my concern is I would like to see the new
3 contract which has language in it to increase safety
4 and better safety. And I would like to see that
5 enforced, to see safety increase rather than the
6 status quo. My prayer is that, you know, with the
7 changing of the guards, we're going to have a changing
8 of the tides. I want to see a change in that.

9 Is anybody aware of who Chris Meadow is?
10 Chris Meadow was a volunteer safety person out there at
11 the dunes who lost his life on ATV going out on a call,
12 injury call. And what we're seeing is injuries
13 basically from the same conditions that cost him his
14 life. And we're just letting it reoccur. We need to
15 figure out a way to monitor the system, change the
16 system to reduce those injuries.

17 We have virtually -- we have zero injury seasons
18 one right after the other. This is the first year
19 we've been allowed to rent ATVs. We've had our first
20 ambulatory injury this year on an ATV, and that's my
21 concern. I want to try and develop systems to reduce
22 those injuries with all of the vendors, so it doesn't
23 affect the whole park.

24 CHAIR SLAVIK: Your time is up, Randy. I thank
25 you.

1 AMY GRANAT: Amy Granat, California Off-Road
2 Vehicle Association. And I'm very pleased to report
3 the California Off-Road Vehicle Association Off-Roader
4 of the Year Award to Phil Jenkins on behalf of all of
5 the work he's done.

6 (Audience standing ovation.)

7 AMY GRANAT: I don't want to scare you, you get
8 to keep the plaque. So if you'd like, you can have the
9 trophy for a couple of months, show your best friends,
10 take it home, use it as a paperweight.

11 And I would like to read a letter from our
12 president, Jim Woods.

13 "This is the George Thomas
14 Memorial Trophy for Off-Roader of the
15 Year presented to Phil Jenkins. It
16 is with great pleasure to recognize
17 Phil Jenkins as the winner of our
18 perpetual George Thomas Memorial
19 Trophy for Off-Roader of the Year.
20 You were nominated for this award and
21 by vote of the CORVA board of
22 directors at our annual meeting
23 chosen to receive this honor. Your
24 work on behalf of all users of
25 recreational areas is to be

1 commended. About this award, this
2 trophy was sponsored by Crimly Desert
3 Casters and presented to the one
4 individual each year whose
5 contributions to the betterment of
6 off-roading during the preceding year
7 are worthy of this very special
8 recognition. This trophy has been
9 ongoing since 1972 and named after
10 George Thomas, who helped create the
11 job you hold today. You now join a
12 group of dedicated people that have
13 led the way in OHV recreation.
14 Thanks again for your hard work and
15 dedication to the sport of
16 off-roading and the time and effort
17 to keep our sport recognized.
18 Sincerely, Jim Woods, President of
19 CORVA."

20 (Audience applause.)

21 CHIEF JENKINS: Wow, it's not often I get
22 surprised. I'm surprised, not expecting this today. I
23 know the plaque is a relief. I was afraid I was going
24 to have to ask the general for a bigger office.

25 But just let me say to everyone it has been a

1 fantastic -- I can't even talk. This has been the best
2 eight years of my life, and I'm not going anywhere, and
3 I look forward to working with Chris, and we're going
4 to keep doing this kind of stuff, and we are going to
5 make Chris the kind of deputy director perhaps some day
6 he's going to deserve this reward. So I look forward
7 to the next eight years working with everybody. Let's
8 keep this all going. Thank you.

9 (Audience applause.)

10 CHAIR SLAVIK: Would you thank Jim Woods and the
11 board of directors for being so obviously
12 congratulatory to a man that's worked really hard and
13 given so much to OHV.

14 JIM BRAMHAM: Jim Bramham. At the fear of
15 jumping ahead, I just wanted to bring word from the
16 California Association of 4-Wheel Drive Clubs and the
17 American Sand Association in how much we appreciate
18 Tom Bernardo's work as we work through legislation that
19 has to do with the side-by-side vehicles, in
20 particular, SB-234 that will be heard soon at the
21 transportation committee. Tom has just been a great
22 resource for us trying to help folks not only within
23 State Parks but with all of the federal agencies to
24 understand the regulations that have been placed and
25 the ones that make change moving forward for the

1 operation of side-by-side vehicles. Thank you.

2 JOHN STEWART: Good morning, John Stewart,
3 California Association of 4-Wheel Drive Clubs. On
4 behalf of the California Association of 4-Wheel Drive
5 Clubs, I'd like to welcome General Jackson and the new
6 commissioners to the fold here for working forward with
7 the recreation. And in the conversations with the
8 general, he's indicated that he's all for recreation
9 and for multiple stakeholders or multiple groups
10 getting together and coming together. We applaud that
11 and believe that's a rationale and a good approach. We
12 look forward to seeing recreation put back into
13 California Department of Parks and Recreation.

14 Along with that, I would like to draw the
15 attention to, as you have Boating and Waterways, there
16 is a small state park down in the southeastern corner
17 of the state called Paso Muchaco. Paso Muchaco sits in
18 a unique spot right along the Colorado River, and it
19 combines all forms of recreation possible. It is
20 adjacent to BLM's lands which is open for recreation.
21 It is an intermix. There is also wilderness areas in
22 there, but there's also a four-wheel drive route that
23 goes up the river. I would invite you to come down and
24 take a look at that because that's a beautiful scenic
25 place. And it also incorporates small camping spots

1 for the boating public. So it is something that does
2 meet what you're looking for. It's all facets of
3 recreation, and this is something that things like this
4 we would like to see the opportunities for recreation
5 expanded where you have a mix of land use, land
6 management going from one agency, whether it be the
7 State Parks to BLM or OHV into State Parks, such as in
8 the Ocotillo Wells area, and look at the possibility of
9 at least opening some of those forests back up so that
10 we can have a better recreational opportunity and a
11 better opportunity for all members of the public to
12 move throughout without being impeded by unnecessary
13 science. So thank you. We look forward to working
14 together for the recreation. So thank you.

15 DON AMADOR: Don Amador, western representative
16 for the Blue Ribbon Coalition. I just wanted to
17 comment I don't know how many took the tour yesterday,
18 but I wanted to compliment the staff and everybody, see
19 BLM leadership here on probably one of the best tours
20 I've been on since I've been doing this since 1994. I
21 thought it was a great experience.

22 I'm glad Pam is here. Some of you may remember,
23 I know Paul does, the 2000 American Trails Conference,
24 national conference we had in Redding. And after
25 yesterday's tour, clearly observing what now has become

1 a showcase OHV area, I would like to just throw it out
2 on the table that American Trails consider having
3 another conference back here. It's been, what, 13
4 years. So I just wanted to throw that out there. It's
5 easy for us to come to. BLM has done a great job, and
6 look forward to doing a lot of good stuff over the next
7 few years with the new leadership team here and
8 everything. Thank you.

9 SYLVIA MILLIGAN: With all of the accolades that
10 went in front of me, they kept me from having to use up
11 all of my three minutes, but I feel the same way, but
12 everybody, including Pam, if you have the next
13 symposium here, I'll help.

14 This is a little away from it, but I wanted to
15 share something with you. In the 1990s while
16 snowmobiling one day, we were at a resort up here in
17 Tehama County, and somebody -- we were talking about,
18 gosh, wouldn't it be fun to be able to snowmobile all
19 the way around Lassen Volcanic National Park. So I'm
20 going -- they start putting these thoughts in my mind.

21 The next thing, I'm involved over my head. And
22 I'm saying, yes, but let's don't just have it for
23 snowmobiles. Let's make this trail if we can ever get
24 it done for everybody. Let's share the dream.

25 So I started walking myself all the way around

1 this mountain to find where can we connect. Most of
2 the trails, 95 to 97 percent of the route is already
3 in, it's existing. The only three percent is just
4 marginal, nothing to be done to really put it in except
5 a few things. I've had Division come up. The support
6 they've given me on this has been tremendous. They
7 looked at the parts that needed to be completed and
8 said we can do that.

9 Well, we went to the Forest Service, and they
10 were just wonderful. They dedicated the trail to
11 everybody but the mixed-use people, the off-road
12 people. And we're going now, wait a minute, this trail
13 is supposed to be for everybody.

14 Well, that's when we found out when we proposed
15 this trail route, we've got an engineering report
16 that's been done, we've done the traffic study, you
17 name it, everything has been done. It is a stellar
18 project. So then they kind of drug their feet on the
19 mixed use, and come to find out they knew at that time
20 that it was the intention of the Forest Service to
21 close the ML-3 and four roads. And we had been using
22 them for years. We went everywhere in the forest.

23 So it's been a good five years since I started
24 my little quest. It's actually now been longer than
25 that. Okay. And that's the stumbling block. We will

1 get those roads open. So I went back to D.C. in 2008,
2 and I talked to Radanovich, McClintock, Herger and
3 Lungren, and explained what was going on. And that
4 started that letter in April of 2008 to the Forest
5 Service about the Travel Management Plan.

6 I started working with my counties, and I said
7 one of the reasons that they say we cannot have this
8 trail is because there's not mixed use allowed on the
9 county roads. They said we're here to -- I forgot the
10 word -- serve the public. They said our roads are
11 open. You can now count on our roads being opened.

12 So we have finally through this process of
13 working together and doing it in a very calm way, we
14 have the roads in Shasta County that are in the
15 Shasta/Trinity National Forest has been reduced from
16 ML-3s and fours to ML-2Ms to support mixed use. We now
17 have the five PWBs that totally surround Lassen
18 National Forest. Our meeting with Jerry Bird, the
19 supervisor of the Lassen, and we've heard via
20 grapevine -- I have a lot of inside friends.

21 CHAIR SLAVIK: Sylvia, excuse me, your time is
22 running out so if you could summarize.

23 SYLVIA MILLIGAN: Okay. I'll be real short.

24 We have found out that we're going to be getting
25 probably -- it's looking very good that we're going to

1 get those roads. So we intend to move forward now with
2 this dream.

3 And what I wanted to suggest real quickly, I
4 know I'm over time, would this Commission entertain an
5 idea of perhaps sending a letter to the Shasta/Trinity
6 National Forest thanking them for their movement
7 forward and stating maybe that if they are in need of
8 funds to remember that the state OHV program is here?

9 CHAIR SLAVIK: We can try.

10 SYLVIA MILLIGAN: Okay. Think about it. Thank
11 you.

12 CHAIR SLAVIK: I asked Rick to come and
13 explain -- or I should say, kind of lay out the
14 Yosemite National Forest OHV program. And the reason I
15 want to give you a little bit more time, Rick, because
16 we had a Commission tour there two-and-a-half years
17 ago, I believe. None of these commissioners now, as
18 you can see, were on that tour. You weren't there
19 either. So we spent quite a bit of resources to get
20 everybody up there and spend a whole day on this tour.
21 Now all of this institutional memory is gone.

22 So I would like Rick just to give us a little
23 bit of snapshot on what it's like on the San
24 Bernardino, what he's dealing with, how many hours the
25 volunteers contribute, you know, a little bit of that.

1 Not too long, Rick.

2 RICK LAVELLO: Will do. First off, I want to
3 thank you, Paul, Commissioner Chair Slavik, for
4 attending our 20th-year anniversary on Thursday night.
5 We just became 20 years old. We started out in '93 as
6 the San Bernardino National Forest Association. And
7 recently we're just going through a name change. We
8 are now becoming the Southern California Mountains
9 Foundation. It's because the OHV program was one of
10 six programs, and the other programs were kind of
11 having problems getting funding because people were
12 confusing them with the Forest Service, so funders
13 didn't really want to give funding to the government.

14 Basically, the OHV program, the off-highway
15 vehicle education safety program is basically an
16 education safety outreach program. And we're
17 definitely dependent on the funding that comes from the
18 cooperative grants agreement and the RTP funding. So
19 when the Governor takes that money away or the money
20 gets less, it kind of -- we get worried whether or not
21 we're going to be able to fund our projects.

22 Basically, the education safety program, that's
23 our project, is recognized as one of the largest
24 support groups in the nation in cooperative spirit with
25 the Forest Service. We have approximately 30,000 hours

1 a year by a consistent base of 200 volunteers, which
2 equates to about \$700,000 in labor to the San
3 Bernardino National Forest.

4 On the San Bernardino National Forest, we have
5 approximately 900 miles of dirt roads that are
6 available for off-highway vehicle use, and out of that
7 900 roads, 170 of them are green sticker, available for
8 green sticker use. And my volunteers help the Forest
9 Service in educating the public, and we do that through
10 a variety of different ways. We go out and we set up
11 kiosks and staging areas, and we hand out educational
12 materials. We go to local dealers, OHV dealerships,
13 and give them materials to hand out to the public so
14 that they're not just saying, here, you can -- here,
15 buy this OHV, you can go riding anywhere.

16 Like Paul was talking about, the forest was
17 actually being loved to death. The Baldy Mesa area, as
18 much as we try to keep it -- it's constantly being
19 overran by unauthorized use. So basically we go out
20 there, and we basically educate the public on that.
21 And typically a volunteer spends his weekends
22 patrolling about 900 miles of dirt roads and trails.
23 And, let's see, interacting as safety education
24 ambassadors, last year we made -- on a typical year, we
25 actually make well over 20,000 contacts per year. Last

1 year we disbursed more than 400 illegal campfire rings.
2 We removed over two tons of trash from the forest, and
3 we cleared over 800 roads. A lot of time trees fall
4 down, stuff obstruct the roads, and all of a sudden the
5 public decides they want to go around it and they cause
6 resource damage. So in order to repair the resource
7 damage, we go out there and clear the stuff.

8 Also, we print maps with the Forest Service, and
9 we hand those maps out. And the green sticker roads
10 are in dark green so they're labeled so they'll easily
11 refer to let you know what's green sticker and what's
12 street legal use only.

13 And basically that's about it. Again we're very
14 dependent on the funding that comes from the
15 Cooperative Grants Agreement and the RTP funding. So
16 when that funding starts to go away, we get worried
17 about how we're going to fund our projects.

18 Oh, we just started working with the Forest
19 Service, and we also do -- we're doing a restoration
20 project now. And this last grants cooperative
21 agreement, the 2012, 2010, 2011 or '11/'12, we just
22 started the restoration project. What we do is we use
23 Urban Conservation Corps and Americorps members, and
24 they go out and actually do the restoration work. And
25 then the OHV volunteers come back. What they do is

1 they monitor the sites once they've been treated, and
2 we've just got equipment and stuff like that, so we're
3 going to photograph and GPS -- locations are already
4 GPSed, but we're going to go back and photograph them
5 and monitor them on a regular basis, and that's about
6 it.

7 CHAIR SLAVIK: Rick, would you just tell us what
8 the rest of the programs are besides OHV real quick?

9 RICK LAVELLO: The other programs, we've got the
10 OHV volunteer program. We have the fire lookouts,
11 which were the first two that actually started the
12 SBNFA. We have the Big Bear Discovery Center, which is
13 the discovery center in Big Bear, Big Bear Lake for the
14 visitors. We also have a children's forest, which is a
15 forest which is dedicated with a visitor center that's
16 ran by children, ages seven to 14, and it's for
17 children, and they've got a couple of trails there.
18 Also, we have Forest Care which is another program that
19 works with the Forest Service and forester, and they
20 work with the people that actually live in -- we have a
21 lot of urban interface in San Bernardino. You get a
22 lot of mountains, a lot of the forests don't have the
23 same urban interface aside from having Orange County,
24 Riverside, LA County with all of the people there
25 coming up to recreate, we have people that live in

1 Crestline and Arrowhead, and they think the forest is
2 their backyard. Anyway, it is kind of their backyard.
3 What they do is they work with the landowners to thin
4 the forest because a thinner forest is a healthier
5 forest.

6 And we also have Music in the Mountains thing
7 where people, the locals basically come up, and we
8 usually hold anywhere from three to five concerts a
9 year. And Big Bear Discovery Center, where there is an
10 amphitheater, and it's kind of neat, music under the
11 stars.

12 CHAIR SLAVIK: Thank you.

13 CHIEF JENKINS: Let me add to that. We've done
14 a lot of tours in the last eight years, and that is one
15 of the tours that really stands out in my mind, on par
16 with what we saw yesterday, actually. So great job.

17 CHAIR SLAVIK: So where are we here?
18 Legislation. Are we ready for Tina now?

19 **AGENDA ITEM IV(B)(2) - REPORTS - LEGISLATION**

20 OHV SUPT. WILLIAMS: Hello, Commissioners, my
21 name is Tina Williams. I am the Division
22 Superintendent for Public Relations and Communications
23 for California State Parks.

24 Before I begin, I'd like to ask Tom Bernardo to
25 come up and stand with me. Someone mentioned earlier

1 that Tom is really that person with the boots on the
2 ground that works with enthusiasts and associations and
3 really the legislative aides. Just like the Commission
4 is transforming and a lot of leadership, we also have
5 staff members are transforming, so I would like to ask
6 Tom to come up.

7 There's at least ten bills that are outlined
8 behind Tab No. 4 in your binders. And in the interest
9 of time, we're going to outline some of the ones that
10 really stand out and affect the legislative program for
11 OHV.

12 I'd like to start with chapter legislation 1595
13 and 1266, and I'm going to ask Tom to do a little bit
14 of explaining of how those came to light. Tom.

15 OHV STAFF BERNARDO: Tom Bernardo, Division
16 staff. I want to give a little bit of history on the
17 ROVs because some of the Commissioners may not be aware
18 of that particular history.

19 ROVs, side-by-side vehicles are extremely
20 possible, best selling vehicles now in the state in
21 terms of off-highway vehicles. The manufacturers have
22 gone to a recreational type of vehicle. Originally,
23 they were utility type of vehicles, farm vehicles.
24 Now, they design recreational specific side-by-side
25 vehicles.

1 Their association last year got a bill passed,
2 Assembly Bill 1595, that put a definition in the
3 Vehicle Code of what a recreational off-highway vehicle
4 is, and it also provided some safety-related laws in
5 the Vehicle Code, including seat belt use, helmet use,
6 what they call rider fit for the seat, seating
7 positions.

8 And also the most controversial section that was
9 passed had to do with aftermarket seats in the
10 vehicles. It's very popular for people who own these
11 vehicles to add seats in the rear of these vehicles in
12 a location not provided by the manufacturers. The
13 manufacturers are concerned about that practice, so
14 part of the law that they passed prohibited people from
15 sitting in those seats.

16 That law was to go into effect January 1st of
17 this year. Once the law came out, a lot of OHV
18 community, thousands of people who have put these seats
19 in the back of their ROVs have been recreating safely
20 and legally for years, and as of January 1st that would
21 have been illegal.

22 So they found a legislator, and Assembly Bill
23 1266 was passed. 1266 delayed the implementation of
24 the aftermarket state law until July 1st of this year,
25 and also made a minor change in the rider fit section

1 that previously said the person had to have their feet
2 flat on the floor. That was taken out. So someone who
3 didn't have feet or legs or someone with short stature
4 could fit into the vehicle legally now.

5 There are three bills pending, and Tina is going
6 to go into those. Again, all 1266 did was delay the
7 implementation of the aftermarket seat law. That's not
8 a fix. It's just a delay. So the three laws that Tina
9 is going to talk about address some fixes to current
10 problems.

11 And, again, the OHV community leadership has
12 been very vocal and involved in this current
13 legislation process, so hopefully that will get fixed
14 soon.

15 OHV SUPT. WILLIAMS: Okay. Specifically
16 Assembly Bill 64 sponsored and authored by Donnelly, it
17 really addresses children wearing a helmet while
18 they're secured in a child safety seat, and it also
19 addresses the model year of which these things would go
20 into effect. And I believe the model year that is
21 discussed in the Donnelly bill is January 1st, 2014.

22 Moving on to Senate Bill 234, which is authored
23 by Senator Walters, they go back to the model year of
24 2013, and they specifically start to address having the
25 passenger hold onto a grasp section. They want to

1 eliminate that.

2 All of these bills, by the way, have the number
3 four in them. So if I'm confusing you, please go to
4 the back, behind Tab No. 4, coincidentally.

5 Assembly Bill sponsored by Fuller addresses the
6 dates of which these bills were to go into effect. And
7 that pushes the dates back to January 1st, 2015.

8 We're also watching a couple of other bills that
9 are coming to light. One of those is Assembly Bill
10 988, and that really addresses the activities of
11 distributors, manufacturers of ROVs. This is going to
12 require those manufacturers and dealers to subscribe to
13 or present an application to the Department of Motor
14 Vehicles. They'll also have to put up a bond. They'll
15 also be required to do renewal fees every year. So
16 that one is out there.

17 There is another one that's out there, Senate
18 Bill 151, which we're watching very closely. You know
19 Tom, and there are a lot of others in the Division who
20 are in contact with people who've sponsored bills, and
21 one came up recently, and it had everything to do with
22 the Department of Motor Vehicles issuing a sticker in
23 lieu of the license plate. And a lot of people say,
24 hey, that sounds like the green sticker program. Well,
25 our intelligence so far hasn't revealed that this would

1 repeal the green sticker program, but again we're
2 really, really watching that.

3 The last two bills that I want to talk about
4 have everything to do with veterans of war. The
5 department currently has a pass program, a
6 distinguished veterans pass program for which
7 applicants can apply for. One of the bills which would
8 allow for a recipient of a Purple Heart to be included
9 into that pass program. The language of who the
10 recipient of the Purple Heart has not been included
11 into that language.

12 And the last one that's going through in the
13 pass program includes allowing for veterans of war,
14 along with active duty personnel, to be able to apply
15 for a pass and be eligible for waiver of fees into a
16 state park on Memorial Day and Veterans Day.

17 That concludes my report unless there are
18 questions.

19 CHIEF JENKINS: Hold questions for later.

20 I know there is a whole parcel of those that had
21 to do with the ROV legislation. To summarize, there
22 are nuances in each of those, but essentially what's
23 happening is the seats and the expanded roll cages
24 particular to those seats were legal to install. A lot
25 of people spent money, installed those legally under

1 existing law. The law that was passed last year was
2 retroactive. So even if you installed it at the time
3 it was legal to install, you would have to take it out.
4 So what a lot of these three new laws have in common,
5 they're looking at grandfathering in so that vehicles
6 that were modified legally at the time wouldn't be
7 affected. Moving forward that wouldn't be legal to do.

8 CHAIR SLAVIK: Okay. We're approaching
9 lunchtime, and the Director has not been able to hear
10 the Commissioners' comment on preceding agenda items.
11 And then I know, Director, you anticipate leaving
12 around lunchtime, so I'd like you to see the King of
13 the Hammers presentation or hear that presentation and
14 see the video before you go. And I'd also like you to
15 hear the comments from the Commissioners on the agenda
16 items that we've already experienced. So can we kind
17 follow that, and then go beyond that? We can finish
18 the agenda items after lunch. I think, Debbie, can you
19 reset your visuals over there?

20 CHIEF JENKINS: We can certainly accommodate
21 that, Chair.

22 CHAIR SLAVIK: So will that work for you,
23 General?

24 DIRECTOR GENERAL JACKSON: Yes.

25 **AGENDA ITEM IV(B)(5)(i) - PUBLIC SAFETY, KING OF THE**

1 **HAMMERS**

2 CHIEF JENKINS: So Tina and Brian.

3 OHV SUPT. WILLIAMS: I think we're going to
4 start with the video first. Tina Williams,
5 superintendent for public relations and communications.

6 CHAIR SLAVIK: This is in Johnson Valley.

7 (Viewed video.)

8 CHAIR SLAVIK: Tina, before you get started, let
9 me just do a little intro on this thing.

10 We weren't really necessarily interested in
11 showing you guys the exciting racing, although
12 everybody likes to see the races. The real thing we
13 wanted to show was the crowd control and the
14 cooperative arrangements that the promoters had with
15 the BLM. Before we got to this point, there was a big
16 accident you may have heard about out in Johnson Valley
17 several years ago, and it caused quite a stir in the
18 OHV community as far as crowd control, liability, and
19 things like that.

20 So here is our safety folks here to talk about
21 those things. But we wanted to show kind of an
22 overview of what the thing was about. There was 30,000
23 people out there in what they called Hammer Town.
24 Those were people that stayed there. They wouldn't
25 like transient people. They brought their own motor

1 homes and whole families with them. It was a huge
2 investment in resources. Anyway, I get carried away.
3 Go ahead.

4 OHV SUPT. WILLIAMS: Thank you for the intro.
5 We like to think of it as -- we estimated about 50,000
6 people -- 50,000 of our closest friends because it was
7 probably one of the biggest campfires I've ever seen.

8 I do want to describe the people in attendance
9 were not just from California. We observed a lot of
10 license plates from New Jersey, Minnesota, of course,
11 Colorado, Nevada, and all of the neighboring states.
12 So this is a pretty important event for a lot of people
13 not just in California. I'd like to also add that the
14 King of the Hammers race is very unique, as you all
15 saw. Not only does it feature the rock climbing that
16 was going on in the video, they have the opportunity to
17 do that high-speed desert racing.

18 It was my first King of the Hammers, and it was
19 quite the experience because we quickly, as California
20 State Parks, became the hub and the meeting place where
21 people wanted information about OHVs and new laws and
22 new things that were coming down the pike. So I was
23 very proud of our law enforcement officers and
24 interpreters and grant administrators that were on
25 scene because they were able to give that all-important

1 information that people wanted to know. And they
2 wanted to know where to get the money, and they wanted
3 to know where they can recreate, and they wanted to
4 know where they can recreate responsibly.

5 One of the things that as peace officers we are
6 charged with interpreting to the public, and we do that
7 quite well. I used to be a recruiter for California
8 State Parks, but school teachers make the best park
9 rangers because it's so important to take the time to
10 explain why the rule is in place, and that creates that
11 understanding and buy-in that you need.

12 The King of the Hammers, getting back to the
13 race, was a 183-mile race with at least 129
14 competitors, only 29 of them made it through. It was
15 fascinating to see. And myself and acting chief Maria
16 had the opportunity to ride in these dirt buggies --
17 that's what they call them -- and the precision and
18 precise actions that they had to take to get through
19 the course. But in the end you could see the winners
20 there were Randy Slawson and his brother from
21 California who's crowned King of the Hammers. I like
22 the sound of that.

23 In addition to the spectators, there was
24 numerous opportunities to go live with broadcasting
25 through video, and it was estimated about 600,000

1 people were watching the race via video. And we also
2 had the opportunity, as you can see, to do a live
3 podcast featuring our Chairperson, Paul Slavik, and
4 Brian. Also in attendance was the BLM Chief Ranger
5 Mr. Chassie.

6 Before I turn it over to Brian, who is going to
7 talk a lot more about the law enforcement activities, I
8 really want to highlight that with the interpreters
9 that were at the site, we were able to bring our ATV
10 safety simulator and our mannikin family to our
11 outreach tent. And it was really important for
12 especially young people to see what safety equipment
13 would be required. And all of them wanted to put the
14 helmet on and all of the equipment, but it really
15 teaches and reinforces ATV safety.

16 And with that, I'm going to turn it over to
17 Brian.

18 CHAIR SLAVIK: Brian, before you get started,
19 the scope of the event was how many days? You know,
20 there's an individual race for every day and that kind
21 of thing.

22 OHV SUPT. ROBERTSON: Commissioners, the
23 original race -- the first race will start on Sunday,
24 so that's one week from the last race, which is on that
25 last Friday so you basically have eight days of racing

1 and preparing.

2 Good morning, Commissioners. Good morning,
3 General, I'm State Parks Superintendent Brian Robertson
4 with California State Parks Off-Highway Motor Vehicle
5 Recreation Division. I'm the visitor services lead and
6 the law enforcement lead.

7 Today, I'd like to quickly summarize our law
8 enforcement element and also our outreach element that
9 we did at the King of the Hammers special event. The
10 deployment to the Hammers was based on a longstanding
11 invitation from the Bureau of Land Management. Over
12 the last couple of years we've deployed at Dumont Dunes
13 and Imperial Sand Dunes, and every time we were there,
14 the folks would say, you've got to come to the Hammers,
15 you haven't seen anything yet.

16 So this last year, about four months out from
17 the special event, we started working on logistics,
18 started making contacts. There is a lot of stuff to
19 bring staff down there. So after about four months, we
20 started getting on the road.

21 Prior to our arrival to the Hammers, we did have
22 goals and objectives for the Hammers deployment. Those
23 goals and objectives were supporting and also
24 partnering with BLM and offering our statewide
25 experience relating to law enforcement, interpretation,

1 and public outreach.

2 What we wanted to get across to them is that
3 we've learned some techniques statewide that sometimes
4 you don't have to write that ticket right off the bat.
5 It's better to outreach, it's better to communicate.
6 That was one of our goals, to create new
7 communications.

8 One of the other things we wanted to demonstrate
9 were these new styles of outreach. We brought a new
10 trailer. We had the new ATV safety simulator. We had
11 the mannikins. These are new things that they hadn't
12 seen here at the King of the Hammers. So we were
13 really excited to show them these new techniques.

14 The Division team was on the ground about seven
15 days prior to the big race. The reason why we came
16 early to the Johnson Valley is we hadn't been there
17 before so we wanted to learn the lay of the land,
18 reinforce some of the partnerships that we've had
19 through the grants and other deployments and just
20 improve communications.

21 During those first few days, we met with the BLM
22 staff, we met with their law enforcement, we met with
23 their recreation coordinators, who kind of like do the
24 special events. There's a lot of moving parts. We
25 also met with the San Bernardino Sheriff's Office. So

1 BLM and San Bernardino are the two primary agencies in
2 the region.

3 During our law enforcement briefings with San
4 Bernardino and BLM, we also started to discuss and
5 describe a new approach to law enforcement. We weren't
6 trying to blow up the boxes on them. We were just
7 trying to show them an option. So we started talking
8 about good law enforcement really needs -- and also
9 long-term compliance really needs good or great
10 outreach programs and good messages. So when you saw
11 the slide earlier, you could see we had some great
12 messaging, and that's how we were really trying to get
13 that outreach going. If you don't have that outreach
14 and a great program, your law enforcement job is a lot
15 more difficult.

16 Great example of that is before we really
17 started the big days of races and a lot of crowds, we
18 met with all of the different agencies, and we started
19 talking about it's much easier or it's much more
20 beneficial in the long run. You can have a five-minute
21 citation contact or you have a 20-minute conversation.
22 What we found by having 20-minute conversations,
23 30-minute conversations, we were able to show that user
24 that might have some kind of violation, that this is
25 the reason why we'd like you to wear your helmet, this

1 is the reason we'd like you to not speed. We were able
2 to give them good examples. And at the end of the day,
3 people were really starting to get it.

4 During the Hammers event, the BLM operation
5 inserted eight State Parks rangers into their patrol
6 schedule. During the day, there was four rangers on
7 patrol. Some of those were on motorcycle, which were
8 some of the most successful contacts we had. We
9 actually specifically are requested for next year to
10 bring as many bikes as you can. So we are hoping to
11 probably bring between four and six motorcycles. And
12 what that did for us is we were able to quickly jump
13 out into the field, based on the type of radio comments
14 or some type of report, and stop that person before
15 they went like onto the racetrack, created some kind of
16 public safety issue. And then one of the most
17 important things is we worked with the Marines because
18 some of the folks have a tendency of maybe going onto
19 the base. So the motorcycle program was very
20 successful.

21 Then also, too, what we did is we had four
22 rangers on during the day, and then we would have six
23 rangers on during the night. So we covered both the
24 day and the night with the regular staff that was on
25 scene.

1 Many could say the King of the Hammers event was
2 very successful. As a law enforcement guy, I could say
3 that the event was extremely successful. And the
4 reason why is we only had seven driving under the
5 influence of alcohol arrests during the event, only one
6 drug arrest, and we made hundreds and hundreds of
7 warnings. So for me when I'm looking at the ratio of
8 50, 60,000 people, and maybe you had ten rangers on at
9 a time, that is an incredible success.

10 In closing, during the first few days of our
11 deployment, we saw countless violations of different
12 OHV laws. Everywhere we were making contacts, waving
13 people down, the new side-by-side ROV laws were
14 starting to come into effect. There was a lot of
15 confusion. So using that outreach type of approach and
16 waving people down and the first thing is we walk up to
17 them and say you're not getting a ticket, we just want
18 to talk to you and tell you what's kind of going on.
19 By the end of the event, we couldn't find anymore
20 violations. It seemed like everybody in the ROVs or
21 even on ATVs they were getting it. So I'd like to say
22 that's the outreach program, not so much the law
23 enforcement.

24 So in the end, the OHMVR Division outreach team
25 and law enforcement team made a successful deployment

1 down to the Hammers. And in the past they were saying
2 you've got to come and check it out, BLM. This year
3 they're saying, please come back, we need your help.
4 Thank you.

5 (Audience applause.)

6 CHAIR SLAVIK: Tina, do you have anything to add
7 to that?

8 I would like to say, General, you saw some of
9 the crowd control features they had there. They had
10 fencing. They had the vendor area was all contained.
11 They only had two entrance and exits to that. They
12 also had something I had never seen before in my life
13 in the desert, and I've been going there since
14 the '60s, big screen outdoor TVs. And when I say big
15 screen, what are we talking?

16 OHV SUPT. ROBERTSON: Megatrons, 40 feet by
17 20 feet.

18 CHAIR SLAVIK: There's one of them back there.
19 You had some pictures of them. They're very big.
20 They're as big as billboards. And what he did was he
21 strategically placed those around so that the crowd
22 would have a place to sit on their lawn chairs by a
23 fire or something and watch instead of going out in the
24 desert and getting involved in the race itself. So
25 there were a lot of people out there, but 30,000

1 people, they had to come up with some pretty creative
2 ideas on crowd control. I thought it was extremely
3 successful.

4 And there was a picture there of the guy that
5 started it, Dave Cole. This gentleman and just a few
6 of his buddies like seven years ago decided to do this
7 Hammers thing and just do a loop. They put money in
8 the pot. Whoever won, got the pot. The next year they
9 had 70 guys, and the next year they had like -- now
10 they're turning away people. And they got people from
11 14 countries, I believe, and 46 states.

12 OHV SUPT. WILLIAMS: Honduras, Switzerland,
13 Italy, Australia, obviously Mexico, and I think Norway.

14 CHAIR SLAVIK: And the team that won the
15 Every Man's event, which I'm not quite sure the
16 criteria, but they had a tricked-out Land Rover, I mean
17 a really tricked-out Land Rover. They flew it in from
18 Great Britain and won the event. They were ecstatic
19 about it. They thought it was the greatest thing since
20 sliced bread.

21 There's a lot of unique things about this. They
22 had a big stage set up with the screen behind it, so
23 the winner would come in and he would get up on this
24 stage and have a big presentation with these big
25 checks.

1 DIRECTOR GENERAL JACKSON: I look forward to
2 going there.

3 CHIEF JENKINS: Chair, if I may, I think one of
4 the important messages to take home out of this: BLM
5 had quite a challenge because of the accident that
6 happened so many years ago with fatalities, maybe it
7 was a couple of years ago.

8 That's part of the reason we're there is to
9 help. BLM is putting a lot of effort into managing the
10 race itself. We're down there to supplement some of
11 the other just crowd control, law enforcement,
12 background items.

13 Also, what didn't quite come out in the
14 presentation is they do a tremendous amount of work on
15 the course ahead of time to identify the course,
16 carefully identify the course, review the course for
17 environmental issues, and then after the course is
18 completed, I think you were the one who was telling me,
19 within two or three weeks, they go in and pretty much
20 erase the course, and you don't end up with a big scar
21 on the land year after year, correct?

22 CHAIR SLAVIK: They claim that two weeks after
23 the course, the crew that's out there, they have a
24 considerable amount of people that are volunteering for
25 this, basically leave that desert looking like nothing

1 ever happened.

2 The other thing is the cost recovery, which has
3 been a big issue that we've been dealing with. In
4 previous Commission meetings, we've had a lot of
5 discussion about cost recovery. And this is where
6 these little nonprofit clubs that are putting on events
7 on public land are being saddled with large bills,
8 maybe 30, \$40,000 to put on an event that they've been
9 putting on for 40 years essentially for free and never
10 had any issues.

11 So this guy, Dave Cole, he had to -- after this
12 accident, he had to come up with a creative way to
13 solve this problem. The way he did it was he somehow
14 enlisted probably hundreds of volunteers I'm guessing.
15 They were all over the course. They supplemented the
16 BLM's presence out there. The BLM, how many bodies
17 were out there that actually had --

18 OHV SUPT. ROBERTSON: We had eight peace
19 officers, and the BLM had eight also, and the
20 San Bernardino had about four. It was kind of
21 rotating.

22 CHAIR SLAVIK: So that number, less than a
23 dozen, were the presence out there for a 30,000-people
24 event -- or 50,000, whatever Tina has come up with.
25 Nice count. Did you get up there in the helicopter and

1 count that?

2 OHV SUPT. WILLIAMS: One of the other things,
3 Commissioner, you had pointed this out, is during this
4 time it was climatic with the weather, and it was
5 actually snowing on one day, which was interesting.

6 And also there were big law up the hill at Big
7 Bear. At this time they were looking for one of the
8 Most Wanted on Big Bear at the same time that we were
9 at the Hammers event. So it really drew a lot of the
10 law enforcement presence away. But with our presence
11 there -- I'd like to say, thank you, Brian, for your
12 staff. It was like the staff that holds meatloaf
13 together. People went to that tent, went to that area,
14 and really looked to us for expertise.

15 CHAIR SLAVIK: Thank you. I've got one public
16 comment form here from Pat Henderson, is that right?
17 Would you want to come up here and spend your three
18 minutes, then we will go right to the Commissioners'
19 review of all of the information that we've received so
20 far.

21 PAT HENDERSON: Thank you. I'm Pat Henderson.
22 Thank you for having the meeting in Redding. I really
23 didn't know what to expect, so I didn't want to really
24 say anything, but I can't sit down either. Thank you,
25 sir, for telling us to attend. We've got to go. We

1 can't stay home. We've got to attend. I belong to two
2 clubs here in town, and I'm on them all the time. If
3 you don't go, you're going to lose it.

4 Sylvia saved Shasta/Trinity. I mean it. The
5 lady saved it. And if she could share the dream, I
6 want it named after her.

7 But the real reason why I wanted to talk was
8 because I was at King of the Hammers. I've wanted to
9 go for the past three years, and I have to tell you the
10 safety issue was really important. They had cyclone
11 fences everywhere so that the public couldn't really
12 get down into the area where the automobiles are
13 climbing rocks that are this tall. And after the 30 or
14 40th car climbing that rock, you've not just got that,
15 but you've got the hole that it dug to get over the
16 rock, and the public can't get down there anymore.

17 And I enjoyed the big screen, and we enjoyed the
18 display that the parks and recreation had there. We
19 stopped by there and saw it, too. I picked up a lot of
20 information.

21 And the only other thing I wanted to say was
22 most of the public wants to obey the law; 99 percent of
23 us out in the forest and the desert or anywhere else we
24 ride, we want to obey the law. And on the other hand,
25 I think that's what you're counting on. It's not my

1 perspective. You guys know that, too.

2 And in another way it's a way of controlling us.
3 Because if you put certain laws through, we can't
4 fight. You know we're going to obey them. And so
5 we're used in one respect and needed in another. And
6 that's all I have to say. Thanks for coming.

7 CHAIR SLAVIK: All right. We would like to open
8 this up to the Commissioners.

9 Any comments on any agenda items so far?

10 COMMISSIONER CABRAL: First off, thank you for
11 everyone that's made public comment; appreciate getting
12 your input; believe it is helpful. The staff, the
13 stuff in your reports was very informative, and I
14 appreciate that, also. I have a couple of comments.

15 First off, I'm going to address the recreational
16 off-highway vehicles, the side-by-sides. I'm an avid
17 OHV user. I'm a motorcyclist, and what I see with
18 OHVs, I see many different types of vehicles, and as
19 time has gone by, we've seen first three-wheel ATVs,
20 and four-wheel ATVs, now we have the evolution of a
21 side-by-side from a farm implement to a recreation
22 vehicle. And it seems to me those vehicles are much
23 more classified along the lines of jeep-type activity.

24 And I don't see the wisdom from the Department
25 of Motor Vehicles to classify these specifically as a

1 green sticker off-highway vehicle. That equates it to
2 like a motorcycle or a smaller ATV. And personally I
3 would rather see a specific classification that would
4 still be within the umbrella of the OHV program, but I
5 think the vehicles should have a different type of
6 registration on them. And I believe that they should
7 be allowed to travel on unimproved dirt roads
8 throughout the national forest and state parks,
9 whatever areas that any kind of a street vehicle,
10 jeep-type could. They just should not be allowed to
11 travel on any paved roads because they have the wrong
12 type of tires and they don't have the safety equipment
13 such as the five-mile-an-hour bumpers or some of those
14 types of items. So that whole program, I wish the DMV
15 would look at that a little closer, come up with a new
16 classification.

17 Secondly, the statewide OHV trail, I think
18 that's a wonderful idea. I've traveled parts of the
19 Back Roads Discovery Trail, and I found it really
20 amazing. There were some great trails and nice places
21 to be. And if it wasn't for those nice little signs
22 that were sitting out there, I never would have
23 experienced a couple of nice fire lookouts and a few
24 other areas. I appreciate the efforts the people put
25 into the paths.

1 I also think it's important that it brings
2 people out into rural communities in the State of
3 California. And we all know these rural communities
4 are really suffering right, especially financially in
5 the situation we have in our economy. And any time we
6 can raise recreational dollars out to those areas, I
7 think it's very important.

8 Next thing is King of the Hammers. King of the
9 Hammers sounds to me like -- I've watched the videos
10 and stuff. I haven't been there, but it sounds to me
11 like it's quickly grown into perhaps the largest
12 sanctioned off-highway event in the State of
13 California. And I think that the people that are
14 promoting the event are doing the great job. Myself,
15 I'm an experienced competitor in the infamous
16 Baja 1000, and they don't have any of this level of
17 type of -- obviously Mexico, different country,
18 different rules, but they don't have any of these types
19 of safety-type things. And I'm really glad to see that
20 someone has taken the initiative to do right and within
21 the rules and the framework of State of California.
22 And I certainly would like to see not only that event
23 continue, but also that whole OHV area to be able to
24 remain and to keep going on for a long period of time.

25 Recreational Trails Program, that sure makes me

1 nervous to hear Caltrans is going to try to get their
2 fingers on that stuff, to be kind of blunt. In my
3 watershed work, one of our biggest agencies, the
4 agencies in our area, the leadership in our agencies,
5 the agency we have the most trouble with is Caltrans.
6 And I kind of feel that that could be a problem. So I
7 would like to see support from the Commission at some
8 point, whether it's in a letter form or whatever form
9 would be proper, to kind of support keeping the program
10 the way it is now. And I have no more comments.

11 COMMISSIONER PEREZ: I'm going to pass on the
12 comments only to say that I thank everyone for the
13 reports. And I think Chief Jenkins, I do want to
14 congratulate him for his recognition today.

15 COMMISSIONER PATROVSKY: I don't have a whole
16 lot to say. I've enjoyed listening to everybody's
17 presentations, and this last couple of months that I've
18 been on the Commission has been a real learning
19 experience for me, and I'm enjoying it.

20 The King of the Hammers presentation, I just
21 want to say that being from that area, I'm really happy
22 that there's an increased emphasis on spectator safety
23 at the organized events, and I think we've gone from
24 the dark ages to a high degree of professionalism, and
25 I'm really happy about that. Thank you.

1 COMMISSIONER KERR: I've got some stuff for
2 Phil, but I'll wait until he gets back, on the budget.

3 So let me start with the last thing we saw,
4 which is King of the Hammers. And a number of us were
5 down in Johnson Valley and rode the Hammers and some of
6 those vehicles about a year ago, and frankly that is a
7 very unique area, unique in the United States, and I
8 think it's something that we want to work hard with the
9 Marine Corps to preserve access to a significant
10 portion of the Kern area.

11 I became aware in talking with the General about
12 the importance of training to the Marine Corps, but I'm
13 hopeful that we can find a way to work cooperatively
14 about this. I know there's a lot going on in Congress
15 about this issue. But let's be real clear, this is the
16 kind of event that California does best, those unique
17 special best-in-the-world kind of things.

18 And I think that I want to congratulate our law
19 enforcement group for making it a better event this
20 year. That means it will probably be around next year,
21 the year after. And those of us that missed it this
22 year I'm sure will be there next year. But this is
23 obviously going to be on par with the Dakar race or the
24 Baja 1000, and something we need to keep going.

25 Speaking to that type of thing, when we talked

1 about the California Statewide Motorized Trail, I guess
2 Kevin and I can now add that to our bucket list, but we
3 can't do it until it's done. So who's going to make
4 this happen. I submit that the only -- the most
5 logical agencies to take the lead on that trail is our
6 Division. If not us, who else? You know we have the
7 staff support. We have the financial support, and we
8 have the support of brand to make that happen.

9 If it were to happen, then it would become
10 another point on the compass that distinguishes our
11 state and brings people to our state and makes us proud
12 of our state and gives us the type of thing that
13 California is known for. So I would be very supportive
14 of the Division getting involved in that and would be
15 happy to learn more about it and potentially serve on
16 the subcommittee.

17 Before we leave these items, I wanted to talk a
18 little bit about the budget. We kind of blew through
19 that. And in reading the binder, there were some
20 things that stood out for me. There's what's called
21 the structural imbalance in our budget. This is not
22 the first time I've seen this issue. So I believe, as
23 near as I can tell, sort of using my brand of
24 mathematics, there is about a \$16 million structural
25 imbalance in the budget that the Governor has proposed.

1 Now, there's two things going on here. One is
2 it's darn hard to spend the public's money. There's a
3 lot of impediments. Every year we talk about doing
4 things, and then often there's several that fall off
5 the radar screen due to either an environmental problem
6 or some other issue with the neighbors or who knows
7 what. So I'm just assuming that we won't spend the
8 entire amount that's budgeted.

9 However, over the last few years we have been
10 spending more than we've been taking in. And now we
11 have a very large theoretical balance in our Trust
12 Fund. The State owes I think \$200 million or somewhat
13 dollars and maybe they're paying us back this year, and
14 that's why we can afford to spend more than what we're
15 taking in.

16 But I'd like us to talk more about these issues
17 and to stay on top of them because I don't want to be
18 in this chair a year or two from now and have to lay
19 off law enforcement officers or make other sudden
20 adjustments to our grants program or other important
21 things that we do because we haven't planned ahead
22 adequately.

23 So I don't know, Chief, if you want to discuss
24 the structural imbalance?

25 CHIEF JENKINS: Yes, I would be happy to address

1 that. So if you're in your binder under Tab 4, you can
2 see the bubble chart that's at the beginning at the top
3 three boxes on the bubble chart. This is the same
4 chart that was available on the table earlier. It
5 looks like that, for those out in the audience.

6 The top three bubbles on that chart represent
7 what we will make in revenue this year from fuel taxes,
8 entrance fees, and registration fees, \$81.23 million.
9 Right in the middle of the page, the three boxes below
10 OHV Trust Fund, kind of where everything is gathered
11 from those incomes, is our expenditures that are
12 proposed at this point by the Administration as this
13 year's budget, the Governor's budget, that's
14 \$96 million. So that's what Commissioner Kerr is
15 referring to, the difference between those two numbers
16 is we're spending 16 million more dollars than we're
17 generating this year. So we're operating in the red,
18 in other words.

19 If you go further back in that same section
20 behind the goldenrod, you'll see the Department of
21 Parks and Recreation budget that's spelled out in
22 detail. You can turn in that packet to page 13 on the
23 top right-hand corner it says, RES 13, and you'll find
24 the funding condition statement for the OHV Trust Fund
25 right there that gives all of the detail. You've got a

1 beginning balance, revenues. You've got all of the
2 various things in and out of the budget. This is the
3 key. If you flip the page and go to the bottom of that
4 budget right down to where the line ends at winter
5 recreation fund, begins the next section.

6 So right above that you'll see "Reserve for
7 Economic Uncertainty." See that line? That's what's
8 left in our budget at the end of the year after you
9 have our revenue put into it and our expenses taken out
10 of it that are proposed in the budget, and you see our
11 remaining balance. The three columns represent what we
12 had remaining last year after the budgets, what we're
13 going to have remaining at the end of the current year,
14 and then in the budget that's being proposed that would
15 pass this way what would be remaining.

16 You can see the balance drops from \$58 million
17 left in the reserve, to \$34 million left in the reserve
18 this year, to \$16 million left in the reserve at the
19 end of this proposed budget. Keep in mind this budget
20 has a \$16 million red hole in it, which means we can go
21 one more year at the current spending level before we
22 are broke.

23 So what that tells us is it's a great benefit to
24 the program to get \$26 million in grants this year, but
25 it comes at the cost of we're burning our savings

1 account to use that.

2 Beginning a couple of years ago, they started
3 diverting \$10 million of past tax revenues which would
4 have in the past been moved from our program over in
5 the General Fund, that's what resulted in this
6 situation where we are spending more money than we're
7 making. We can keep doing this after the loans are
8 repaid, and every indication is that those loans will
9 be repaid as we need them in this kind of situation.

10 So I'm not overly concerned, which is why I did
11 not bring this up in my original report that next year
12 we're going to be broke. But next year we need to
13 start getting some of those loans repaid to maintain
14 our current rate of burn, if you will. And by ten
15 years from now, we need to address the situation by
16 either generating more revenue or somehow adjusting our
17 income/expense because we cannot run in the red
18 forever. Does that kind of address what?

19 COMMISSIONER KERR: So as I understand it, the
20 condition of the loans is that there's a trigger that
21 if we do run our bank account down to zero, our savings
22 account down to zero, that the State is then compelled
23 or in some manner to pay back the loans? This creates
24 the condition as described in the loan agreement
25 whereby the State is obligated to start paying back the

1 loans.

2 CHIEF JENKINS: Let me get to that.

3 Chief Deputy Director was just correcting me. I
4 looked at the wrong line. I read down too far from
5 where I was looking at. So, again, we are facing that
6 same burn rate down, but we actually have \$44 million
7 at the end of the year. But the rate of burn is the
8 same where we're burning away that money. So that will
9 give us, at \$16 million, about three years before we
10 hit that bottom red zone at our current rate of burn.

11 But your question, yes, at some point we'll hit
12 that red line which would kick in that trigger for some
13 of those old borrowed funds where our program is set to
14 go into the red, that would trigger the repayments from
15 those original loans that went back 20 some odd years
16 ago.

17 DIRECTOR GENERAL JACKSON: I think the key is --
18 and it's good to bring it up now because we have to set
19 the stage for those repayments well in advance. It
20 can't be at the red line; it's when you start
21 approaching it. So now is a good time to bring it up
22 as a subject, and if you look back there, and as Aaron
23 pointed out on that page 13 there, it's really some \$44
24 million at the end of the next budget year that's still
25 in the reserve fund. But it is something to be highly

1 aware of and to start setting the stage to make sure
2 that we don't go into the red.

3 COMMISSIONER KERR: Okay. Well then, I mean I'd
4 say, I think we need to keep these programs going, but
5 I'm glad that we're going to be doing something about
6 this instead of waiting until that moment in time. I
7 would feel comfortable if we'd continue to discuss this
8 matter in our budget updates.

9 CHIEF JENKINS: And the last issue about that
10 balance that's out there is, if we were to ask for it
11 to be repaid before we start hitting bottom line, we
12 would need to demonstrate that there's a pending really
13 good use of those funds.

14 So if acquisitions were to pop up on the
15 horizon, various possibilities where we would say this
16 is why we would like those loans repaid on this
17 schedule rather than perhaps this lower schedule, it
18 would only really make sense to do that if there were
19 something out there because there is just no point in
20 having the money repaid and sitting there for no
21 purpose.

22 COMMISSIONER KERR: We will talk about that in
23 continuing days.

24 Before I conclude, we have taken the opportunity
25 to thank the local BLM folks for the tour that we had

1 yesterday. And it's obvious that -- I believe it's Sky
2 Zaffarano who took us all around and had this
3 loose-leaf binder we kept referring to, very
4 informative, actually incredible.

5 I was struck by a couple of things. One is the
6 amount of care that's taken to preserve those sites of
7 that town that grew up around the copper smelter and is
8 now merely flat pieces on the ground. California law
9 requires that quote/unquote cultural resources to be
10 protected, and I know he's doing his best to do that.

11 I'd like to submit the Hammers for a cultural
12 designation and that it be a protected cultural
13 resource of the State of California. And I don't know
14 how we can do that, but maybe we can get some
15 protection for that.

16 Anyway, our thanks for your great work here.
17 It's obvious that it's a very successful cooperative
18 arrangement we have with you, and that's something
19 we're doing down in the Johnson Valley, as well,
20 apparently. And I hope we can do it throughout the
21 state. So thanks again for hosting us.

22 COMMISSIONER MURPHY: I can't say I have very
23 much to add to what's already been said, but I would
24 like to thank all of you who are in attendance today
25 and thank you for participating. That's very

1 important.

2 And, again, I just wanted to thank the BLM
3 management team for the tour yesterday and for the
4 excellent work that they're doing out there. It's a
5 beautiful park that I'm going to be sure to come back
6 and enjoy. So thank you for your work out there.

7 I also wanted to just support Commissioner
8 Cabral's statements on the ROV as its own
9 classification. I think that's a reasonable
10 suggestion. I would support that, as well.

11 I wanted to thank the gentleman who's doing the
12 work in the San Bernardino National Forest. Your
13 presentation I thought was excellent, and the program
14 you're running out there, it just blew me away. That's
15 awesome. It sounds like you're doing a great job out
16 there. And I think we need to support RTP for funding
17 that. So thank you for your work out there, especially
18 the interpretive forest for the children. I thought
19 that was just an excellent thing. Thank you for your
20 work that you're doing out there.

21 I also want to support the King of the Hammers
22 event. I thought it was an excellent job that was done
23 by the promoters put that down and for the Division
24 staff that went down there to support that. I think
25 that's a great cooperative arrangement there, and

1 that's something that we should support in the future.

2 That's about it. So thank you.

3 COMMISSIONER VILLEGAS: I'll be quick. I just
4 wanted to note that since we have a lot of new
5 Commissioners on the staff -- I still consider myself
6 new, this is my third meeting -- we also have a lot of
7 members in the legislature, half the houses are new
8 members, that is emblematic of the education that we as
9 a commission need to do. And all of the other groups
10 out there also, we need to work together in partnership
11 to educate.

12 I just ran across this when we're going through
13 this new legislation to do kind of corrections for our
14 ROVs and wanting to get the chair of the Latino Caucus
15 to come on board to co-author one of these bills. I
16 know him, and I was thinking to myself, he doesn't even
17 know what we are, what we do, been out to a park, or
18 anything like this. So our level of education is
19 extreme, and it's very high.

20 And I just raise that as a point for us all to
21 be aware as we're doing these meetings with either
22 members or we have the groups out there who are
23 speaking to new members of the legislature, do not take
24 it for granted. They don't know as much information as
25 you may know, and it's our responsibility to educate

1 them.

2 And I am probably not the best person to be
3 speaking on this since everybody here is so passionate,
4 and I'm a city girl, and I don't ROV or all of your
5 acronyms that we all use. But I do know that it is
6 another option for us to be able to connect with our
7 natural resources of the State of California, and I
8 think it's very important for us to be able to
9 communicate that in an effective way because we're
10 talking about budgets, we're talking about all of these
11 corrective legislation pieces that are going on, new
12 cars that are being built for us to recreate, and we
13 have new Commissioners on here who have probably
14 experience, some of us who don't, but we have a
15 legislature who is creating these bills who probably
16 don't have as much education or awareness of this. I
17 just wanted to make that point.

18 CHAIR SLAVIK: Okay. So I've got a couple of
19 things here. Maria, when you talked about new
20 employees, I thought to myself, I don't know some of
21 these people, and I wonder if we can have some kind of
22 an org chart for the Commissioners that indicate where
23 the people are, what are their responsibilities, and
24 things like that.

25 CHIEF JENKINS: Certainly, we can update the org

1 chart. The org chart that all of you got no matter
2 when you've had OHV 101 is out of date. So we'll send
3 out a fresh org chart to all.

4 CHAIR SLAVIK: It looks like we've got a couple
5 of subcommittees that are potentially here. Are you
6 interested in, Ted? So Statewide Motorized Trails and
7 Recreational Trails Program are both potential
8 subcommittee subjects I think. And it sounds like we
9 have people here that are interested in those. Would
10 you be interested, Kevin, in Recreational Trails
11 Program?

12 COMMISSIONER MURPHY: Yes, I can do that.

13 COMMISSIONER KERR: Talking about the statewide?

14 CHAIR SLAVIK: Statewide, yes.

15 COMMISSIONER KERR: So the RTP is something else
16 we talked about. This is the one that goes all the way
17 to the Oregon border, right?

18 CHAIR SLAVIK: Recreational Trails is the
19 funding program. Statewide Motorized Trails is the
20 Oregon border. So those are two separate things.
21 We're going to talk about each one.

22 So let's talk about the Recreational Trails
23 Program and the funding and the problems we have with
24 the Governor's budget shifting that to Caltrans. It
25 sounds like you had good experience, some experience

1 dealing with Caltrans. We need somebody to understand
2 the issue maybe, be closer to it, and then come back
3 with recommendations.

4 COMMISSIONER VILLEGAS: I can do it.

5 CHAIR SLAVIK: Are you interested?

6 COMMISSIONER VILLEGAS: I know the funding
7 source, and I know some other programs that are under
8 Caltrans that are mentioned on here, like the EM
9 program, the Environmental Mitigation program, is
10 already under Caltrans.

11 I mean I could see the rationale why the
12 Governor is probably proposing to do this since there
13 is already some programs that a lot of environmental
14 groups and others, you know, even us, seek funding from
15 the EM program. So I can see why they are wanting to
16 put it in; although, I would advocate to not put it in.

17 CHAIR SLAVIK: For instance, the L.A. River
18 Trail or something like that would be a prime example
19 of where RTP funds could go.

20 COMMISSIONER VILLEGAS: Right.

21 CHAIR SLAVIK: So Commissioner Villegas, and
22 Commissioner Cabral, would you guys be interested in
23 being on a subcommittee?

24 COMMISSIONER CABRAL: Yes, I would be interested
25 in that. I was kind of a little more interested,

1 though, in the statewide trail.

2 CHAIR SLAVIK: You can be on two.

3 COMMISSIONER CABRAL: I see where this is going.
4 I would be honored to work with her. I think she's
5 very knowledgeable, and I would learn something.

6 CHIEF JENKINS: And if I may, Chair Slavik.
7 Probably the best use of your time as the
8 subcommittee -- of course, you're free to do as you
9 will, but we were all comparing notes here. It looks
10 like that's probably going to be moving fairly quickly.
11 So perhaps your most effective approach would be to
12 show up at the hearing if you're available and speak
13 for the Commission and express your views there, and
14 that might be the most direct path to getting your
15 message out.

16 CHAIR SLAVIK: Okay. So how do we make that
17 official?

18 COMMISSIONER KERR: So we're charging them to
19 speak on behalf of the Commission; is that what's going
20 on here?

21 CHAIR SLAVIK: Well, more of a factfinding, I
22 think.

23 COMMISSIONER KERR: I'm having to lobby. I
24 might not be able to make this meeting, but a lot of
25 times you get up to the mike and say: I'm not speaking

1 on behalf of the Commission, I'm here to speak on
2 behalf of. So is there a way for us to -- is it
3 valuable for them to speak on behalf of the Commission
4 or not?

5 CHIEF JENKINS: I think if you were to all have
6 an agreement on the message that you would like them to
7 deliver, to vote on that right now, then they would be
8 empowered to speak for the Commission, and that might
9 carry a little more influence than individuals speaking
10 just as private citizens.

11 CHAIR SLAVIK: So we need to craft a statement?

12 CHIEF JENKINS: Or you can give them the
13 outlines, the boundaries of what you would like said,
14 and let them hammer that down into something that's
15 intelligent.

16 DIRECTOR GENERAL JACKSON: And the good thing
17 about crafting a statement with your signatures on it,
18 it gets entered as part of the Assembly record for all
19 time so that they can come up, read the statement and
20 then get some --

21 COMMISSIONER KERR: I would like to take a stab
22 at the statement. So I think that I'd like to make a
23 motion or at least have some discussion about a
24 statement that we could all agree on.

25 So some key points that would be in the

1 statement, number one, State Parks is doing a good job
2 in running the RTP program as evidenced by their
3 national award only last year.

4 Secondly, State Parks has an understanding and
5 experience that the Commission believes is valuable in
6 their running of this program. So those are kind of
7 one or two of the same things that is evidenced by the
8 award.

9 Secondly, there's no guarantee -- we talked
10 about precedence. So State of California is a leader
11 in trails programs, both motorized and non-motorized,
12 and we think that keeping the RTP program within State
13 Parks will allow us to continue that leadership role,
14 and it would be an unfortunate precedence if the State
15 of California were to drop out of this role.

16 The last thing is that we -- again, for
17 discussion, that there's a danger that these funds
18 might be commingled with other Department of
19 Transportation funds, and that the trail program could
20 suffer as a result.

21 So I don't know if there is anything else that
22 the people wanted to include.

23 CHAIR SLAVIK: Strategically, I think we need to
24 try and figure out who put the bug in the ear of
25 whoever started to convince the Governor this was a

1 good idea to opt out of the program and put it into the
2 Caltrans. Can we get to that source?

3 CHIEF JENKINS: So I was just taking advice from
4 our legal counsels' collective opinions over here.

5 We have to be careful not to go too far in this
6 meeting. This was not an agendized business item. It
7 is within your power to appoint a subcommittee and turn
8 them loose to do some work. I think we've gotten to
9 the point where they've heard the views. You have a
10 subcommittee. I think if we delved too much further
11 into this here without rescheduling this for a future
12 meeting, we may be treading close to the edge of where
13 we should go. I think at this point your subcommittee
14 would have enough information to move forward and do
15 what they need to do.

16 CHAIR SLAVIK: All right.

17 COMMISSIONER KERR: So what about the vote?
18 We're voting to set up the committee?

19 CHIEF JENKINS: There is no requirement to vote
20 to set up the subcommittee. The Chair has the
21 authority to do that at any moment. And the
22 subcommittee has now heard your views and so I think
23 that's on the record.

24 CHAIR SLAVIK: Subcommittee, go forth and do
25 good work.

1 The Statewide Motorized Trail program, the Back
2 Country Discovery Trail. So any discussion on that and
3 as far as moving that process forward with the
4 subcommittee that can get more engaged.

5 You know, it's a big huge deal, and I was kind
6 of involved in it from the very beginning. I probably
7 was on a subcommittee a long time ago. You're dealing
8 with a lot of different agencies, and each one of them
9 has their own personalities individually. Each forest
10 is going to have its own individual personalities that
11 you're going to have to deal with.

12 COMMISSIONER KERR: You guys could build it, and
13 I'll just drive on it.

14 CHAIR SLAVIK: I think basically what you would
15 have to do is birddog the process through State Parks.
16 They've been the lead. Somebody mentioned they should
17 be the lead, but they've been the lead all along.

18 COMMISSIONER CABRAL: I think it's going to
19 require a lot of communications between a number of
20 different, not only agencies but also --

21 COMMISSIONER KERR: Have to agendize for every
22 single meeting, you're going to have to make it a
23 priority, and somebody is going to have to drive that
24 process.

25 COMMISSIONER CABRAL: Exactly. Theres' going to

1 have to be somebody to drive it forward. I think that
2 some of the volunteers that are in here that have
3 worked on this in the past would be good resources.

4 I know one of the gentlemen who actually was one
5 of the beginning developers of this program. He's
6 retired now. He's not living in the state, but I can
7 contact him and see what's going on with it.

8 So I'm willing to look into it, but I don't know
9 if I want to have a subcommittee on that before doing
10 something -- I can research a little bit and bring the
11 report back to the next meeting, and then we can go
12 from there.

13 CHAIR SLAVIK: So we table the subcommittee
14 until the next meeting?

15 COMMISSIONER KERR: Let Phil chew on it a little
16 bit.

17 CHIEF JENKINS: I think that the main thing
18 we're looking for as staff to you all, is we have some
19 excitement in the staff level to move forward. We want
20 to make sure that we're not moving forward out of sync
21 with the Commission. And so if you establish a
22 subcommittee now or later, at least know which of you
23 are the most interested. We can begin discussions and
24 begin making plans for how best to move forward and
25 continue on that path.

1 I think Commissioner Kerr is exactly right, this
2 is going to take concerted effort for a number of years
3 because it's been attempted and failed too many times.
4 We can't afford to do it that way again.

5 CHAIR SLAVIK: Commissioner Murphy and
6 Commissioner Breene?

7 COMMISSIONER CABRAL: I can do it.

8 COMMISSIONER KERR: I want him to call his
9 friend, though.

10 COMMISSIONER CABRAL: Absolutely.

11 CHAIR SLAVIK: But you guys can't talk, more
12 than two people can talk about it.

13 COMMISSIONER KERR: We're still not a quorum,
14 it's just three of us.

15 CHIEF JENKINS: If more than two of you are
16 discussing a business item, we would need to publicize
17 that and run it as a noticed public meeting.

18 CHAIR SLAVIK: So you've got to work on this
19 independently, the two of you with staff.

20 COMMISSIONER KERR: And then we'll agendize it
21 for our next meeting.

22 CHIEF JENKINS: We can make this one of those
23 standing agenda items on our meeting.

24 COMMISSIONER CABRAL: Being new, I want to ask
25 this question. Am I able to pass him information as

1 far as a phone number or contact information for people
2 to call; is that legal?

3 COUNSEL TOBIAS: It's really not.

4 COMMISSIONER KERR: Just put it in the public
5 record right now, then all you've got to do is check
6 the agenda.

7 COUNSEL TOBIAS: When you establish a committee,
8 a committee of two or over, it requires to be noticed.
9 So with that type of committee, you could pass each
10 other things, but you would have to do it through a
11 public meeting.

12 When you have two, it's an ad hoc committee, so
13 that could be a communication between you because it's
14 not a quorum, it's not a majority of your commission.
15 That's the Bagley-Keene Act. So with two of you, you
16 can talk to each other, but a third cannot. So it
17 would be better for you to pass that information to
18 staff, and staff to get it to them.

19 COMMISSIONER CABRAL: Okay.

20 CHIEF JENKINS: And I'm fairly certain that I've
21 got all of the names, and I'll pass on information to
22 them. If I missed that name at the next meeting when
23 we're publicly noticed, you can add that information to
24 the list.

25 CHAIR SLAVIK: Cheryl needs a break, and it's

1 lunchtime. And I think the General and Mr. Robertson
2 would like to get going.

3 DIRECTOR GENERAL JACKSON: Thanks very much.

4 CHAIR SLAVIK: Parting comments?

5 DIRECTOR GENERAL JACKSON: Yes. I thank the
6 public. And, like I said, I'm all ears, and so I'm
7 learning the issues like many of you. I look forward
8 to working with the Commission. Thank you very much.

9 CHAIR SLAVIK: Thank you for coming.

10 (Returned at 1:49 from a lunch beginning at 12:37.)

11 **AGENDA ITEM IV(B)(3) - REPORTS - GENERAL PLANS**

12 CHAIR SLAVIK: Next business item, general
13 plans.

14 CHIEF JENKINS: Dan Canfield.

15 OHV STAFF CANFIELD: Hello, Commissioners. Dan
16 Canfield, OHMVR Division, California State Parks. I'm
17 providing report on the status of the SVRA General
18 Plans. The report is provided to you in your binders
19 behind Tab No. 4 and the third goldenrod slip sheet.

20 A general plan directs the long-term development
21 and management of State Parks units like an SVRA. One
22 of the responsibilities of the OHMVR Commission is to
23 hold a public hearing to receive comments on proposed
24 SVRA general plans.

25 Some of the Commissioners may remember back to

1 June 2012, a long time ago, when the Commission met in
2 Oroville and approved the Clay Pit SVRA General Plan,
3 which I have a copy of right here. These general plans
4 are required by state law before we can do any capital
5 facility developments at SVRAs, so they're very
6 important.

7 A brief history, back in 2007, the Division did
8 a comprehensive review of all of the SVRA general
9 plans. Some of the criteria that we looked at included
10 SVRAs that didn't have a general plan at all but had
11 the need for facility development. SVRAs that had
12 acquisition lands that needed to be annexed into the
13 existing SVRA, and also SVRAs that had older general
14 plans that didn't accommodate new OHV-use patterns or
15 new OHV vehicle types, like the ROVs that we talked
16 about earlier today.

17 So at that time the determination was that six
18 of the eight SVRAs needed to either initiate or update
19 their general plans. OHV Trust Funds were appropriated
20 and the work began. This is an attachment to your
21 report which is a chart that gives you the overall
22 status of all of the SVRA general plans.

23 Currently, two SVRAs, Carnegie and Ocotillo
24 Wells, have general plan updates that are well
25 underway. And for both projects, the general plan

1 teams are in the process of developing general plan
2 alternatives. Once finalized, these general plan
3 alternatives will be brought out to the public through
4 public meetings, on-line exercises to solicit feedback
5 on our general plan alternatives.

6 Now, to ensure that the final product is the
7 most dynamic plan possible, it's crucial these general
8 plan alternatives cover a wide range of potential OHV
9 recreational opportunities. This step has taken a
10 little bit longer than anticipated for Carnegie and
11 Ocotillo Wells, and at that point the schedule for both
12 projects would have them have the plans ready for
13 Commission consideration in early 2014.

14 That is my report.

15 CHAIR SLAVIK: We're going to hold our comments
16 until after all these are spoken to.

17 CHIEF JENKINS: If I can just add, the point of
18 that report really is that as we look at where we hold
19 our upcoming meetings, we need to keep that date in
20 mind for two reasons. One so that we can make sure
21 that we're fully informing you midstream so that you
22 have an opportunity of input before we reach that final
23 stage. And number two is to make sure that we schedule
24 a meeting near those SVRAS at the time that we expect
25 to be adopting a general plan. So we'll work with you

1 as we move forward.

2 CHAIR SLAVIK: So we have a relatively open date
3 for the last meeting of this calendar year. Does that
4 coincide with any of these general plans?

5 CHIEF JENKINS: We will be watching this develop
6 through the rest of the year. As we get about three
7 months out from that meeting, if it looks like we're
8 ready for one of these from one of the parks, we will
9 work with you.

10 CHAIR SLAVIK: Thank you.

11 Attendance report. Natalie.

12 **AGENDA ITEM IV(B)(4) - REPORTS - ATTENDANCE**

13 OHV RANGER LOHI: Good afternoon, Commissioners.
14 My name is Natalie Lohi. I'm a ranger at the OHMVR
15 Division. I'm here to provide you with the attendance
16 CSUS Study Report. You can find that behind Tab 4
17 behind the fourth goldenrod.

18 "If you build it, they will come," a famous line
19 from the work of fiction but very much the reality in
20 our parks. We've acquired and built parks, and no
21 matter how big or small, no matter how urban or remote
22 people will come visit them. We have the obvious
23 responsibility of providing recreational opportunities
24 and protecting the resources within them, but we also
25 have many other responsibilities, less glamorous, more

1 mundane yet equally important responsibilities such as
2 keeping track of how much people are visiting those
3 parks.

4 The Department requires that the Division report
5 attendance data monthly. With the approval of Senate
6 Bill 742, the Division has the additional requirement
7 of reporting attendance data to the legislature upon
8 request to be considered as a factor in determining
9 possible adjustments to our funding.

10 Last year the Division established a contract
11 with CSUS, California State University, Sacramento, to
12 complete an attendance study that will satisfy our
13 requirements of SB 742 and provide attendance-related
14 information from the public to support management
15 decisions at the SVRAs.

16 SB 742 made several changes to the OHMVR
17 program. One of those changes involved our funding.
18 The Revenue and Taxation Code was modified to stipulate
19 that the amount of funds transferred from the Motor
20 Vehicle Fuel account shall be the same as the amount
21 transferred in the 2006/07 fiscal year. Every five
22 years beginning in the 2013/14 fiscal year, that amount
23 may be changed depending on several factors. One of
24 those factors is SVRA attendance.

25 You can see on the graph here on the screen of

1 statewide SVRA attendance from 2001 to 2012. The
2 comparative data provided on that graph is job
3 availability provided by the California Employment
4 Development Department. You can see a very clear
5 correlation between the two. The CSUS study does not
6 provide -- is not focused on providing information on
7 the impact of our struggling economy on SVRA
8 attendance, but the survey portion of the study will
9 provide economic information from visitors that will be
10 compiled in the final report.

11 The Division's goal in contracting with CSUS is
12 to provide a comprehensive review of our attendance
13 program. The study has three main priorities.
14 Priority one is to review, evaluate, assess, and update
15 or confirm our conversion factors.

16 For those of you who may be uncertain, a
17 conversion factor is a method used to convert a measure
18 of attendance to an individual park visit. So at our
19 SVRAs and at most state parks, the visitor pays a fee
20 per vehicle rather than per person. When we report
21 attendance data, the target information is how many
22 people are visiting our parks. So in order to convert
23 the number of vehicles into the number of people, we
24 need a formula. That's our conversion factor.

25 Priority number two is to evaluate the

1 day-to-day methodologies we are using to measure
2 attendance data. This study will identify those
3 methodologies we are currently using that are most
4 effective and make recommendations to increase the
5 efficiency and accuracy where the possibility exists to
6 do so.

7 Priority number three is visitor survey
8 information. Visitor surveys are being administered at
9 all eight SVRAs. The surveys are similar in format and
10 content but SVRA managers have had the opportunity to
11 provide input and customization. This will allow for
12 the collection of information that is specific to each
13 SVRA maximizing the value of that information with
14 regards to management decisions at each location.

15 Collecting attendance information at an SVRA can
16 be challenging. Staff can contend with challenges such
17 as the need to provide or the mandate to provide
18 specific information to every visitor coming in the
19 park, the need to gather information on different types
20 of vehicles, staff must do registration checks, spark
21 arrestor checks, sometimes deal with reservation
22 systems. All of this must be done while maintaining a
23 level of customer service that visitors have come to
24 expect when visiting a California state park. We must
25 welcome our guests, not process them.

1 On the other hand, the challenge at another SVRA
2 would be the lack of an entrance station at all and
3 multiple entry points into the park. Regardless, our
4 staff has done a stellar job of collecting and
5 reporting attendance data and will continue to do so
6 per department policy. The CSUS study will help us to
7 identify those areas where we are successful currently
8 and will help us to streamline and improve in areas
9 where opportunities exist to do so.

10 This concludes my report on attendance, and I
11 would be happy to answer any questions.

12 CHAIR SLAVIK: We're holding questions.

13 CHIEF JENKINS: While we're waiting for the next
14 speaker to come up, let me say Natalie has brought a
15 badly needed kind of form and function to our visitor
16 attendance data. For many years our visitor numbers
17 have been our best guess, I would say. Natalie,
18 working with the university, Sacramento State, is
19 bringing a lot of science to it, so I am expecting
20 we're going to have a lot more confidence in our
21 numbers, and that's largely due to Natalie's work.

22 **AGENDA ITEM IV(B)(4) - REPORTS - GRANTS PROGRAM**

23 OHV STAFF LONG: Good afternoon, Commissioners.
24 I am here to provide an update on the Grants and
25 Cooperative Agreements program since we met last, tell

1 you a lot about what's going on, and just I'll provide
2 a little brief background for the new Commission
3 Members as well, just a reminder for anyone else.
4 Kelly Long, grants administrator with the OHMVR
5 Division.

6 The Grants and Cooperative Agreements program is
7 an annual competitive grant cycle, and this is an
8 opportunity for you to distribute funds from the OHV
9 Trust Fund. And these funds are available to a number
10 of eligible applicants including federal agencies,
11 particularly the Forest Service, BLM; other federal
12 agencies for some project types; local agencies,
13 sheriffs; and nonprofit organizations primarily. The
14 funding is distributed by law. Fifty percent of our
15 available funding goes to operations and maintenance,
16 and that includes what we consider ground operations,
17 planning, development and acquisition of real property.
18 Twenty-five percent of the available funding goes to
19 restoration projects. Twenty percent is earmarked for
20 law enforcement. And five percent is set aside for
21 education and safety projects.

22 As Chief Jenkins had mentioned earlier, this
23 year we have \$10 million available for the Grants and
24 Cooperative Agreements program, and this year that
25 \$10 million represents a decrease of more than half

1 from the previous year when we had \$21 million
2 available.

3 So in January our grants cycle opened up. We
4 have an on-line grant application system affectionately
5 called OLGA, and all of our grant applications have to
6 be received on-line. That system was made available,
7 and we conducted two outreach workshops with interested
8 parties in Sacramento and Ontario. These were attended
9 by approximately 180 potential applicants.

10 On March 4th, earlier this month, we had our
11 preliminary application file date, and that is you had
12 to get your application in in order to be eligible for
13 any funding at all. Included in your packet there is a
14 sheet that is also up on the screen here.

15 This is a summary of the funding requests that
16 we received with the preliminary applications. You can
17 see the shaded area that is the combined operations and
18 maintenance category. All that money comes out of the
19 same pot, 50 percent, and it's broken down into
20 restoration, education, safety, law enforcement.

21 The important numbers to keep in mind are
22 \$10 million available, and you can see down in the
23 lower right-hand corner, \$30 million requested. So you
24 can see how it is broken out, and you might notice the
25 bottom two lines provide a summary of how the funds

1 have been distributed as far as their requests versus
2 what is available to them.

3 The total amount requested for the O&M projects,
4 almost \$17 million. Doing simple math, if we have
5 \$10 million available in the program, we have
6 \$5 million available this year. Restoration, again, in
7 this case we have over \$2 million requested. We have
8 \$2.5 million available based on that ten percent again.
9 The law enforcement is interesting in this case,
10 remembering the law enforcement gets 20 percent of the
11 available funding. \$2 million available, and over
12 \$8 million requested.

13 So as you can see that presents the framework
14 that we're working in, and I think I would be happy to
15 entertain questions later.

16 CHAIR SLAVIK: Thank you, Kelly.

17 **AGENDA ITEM IV(B)(7) - REPORTS - PROPOSED EASTERN KERN**
18 **COUNTY ACQUISITION**

19 CHAIR SLAVIK: We come to the proposed eastern
20 Kern County acquisition.

21 OHV STAFF CANFIELD: Hello, again,
22 Commissioners, Dan Canfield, OHMVR Division providing a
23 report on the Proposed Eastern Kern County Land
24 Acquisition. The report is provided in your binder
25 behind Tab No. 4, the fifth goldenrod slip sheet. This

1 report is also made available on the back table for the
2 public.

3 As staff has previously reported, the OHV
4 Division is proposing to acquire approximately 28,000
5 acres of privately-owned land in eastern Kern County
6 near the Jawbone and Dove Springs OHV areas.

7 Recently there have been two exciting
8 developments on this project. The first development
9 was that on February 15th, in accordance with CEQA, The
10 Eastern Kern County Acquisition Draft Environmental
11 Impact Report, or EIR, was made available for public
12 review and comment. Attached to your report is a copy
13 of the public notice for that draft EIR. The draft EIR
14 is available for comment through April 1st, 2013. And
15 I brought a copy of the EIR along with me. It is also
16 on the back table if anyone would like to go take a
17 look at that. Of course, the EIR is available for
18 review and download from our website, and the website
19 address is in that public notice that you have in your
20 report.

21 The second exciting development is that on
22 March 16th, one week ago, a subcommittee of the OHMVR
23 Commission held a public hearing in Tehachapi,
24 California. And this public hearing was to provide
25 opportunity for the local citizens and interested

1 parties to provide comments to this subcommittee, as
2 well as providing comments on the draft EIR.

3 Chair Slavik and Commissioner Patrovsky were
4 present at this meeting one week ago today in
5 Tehachapi, and that's the end of my report. But I
6 would be happy to turn it back over to Chair for any
7 further comments.

8 CHIEF JENKINS: I was going to say you're
9 probably going to have comments on all of these items.
10 There was one last item I didn't write down that I
11 wanted to include in the Chief's report to note.

12 You all that were here several meetings ago, I
13 think the first meeting of 2012/13, the one we had at
14 Carnegie, Tim Guardino made one of the presentations.
15 He was on our law enforcement team suffering from a
16 terminal illness. He has since passed away. And the
17 director awards are awards that the entire department
18 can nominate folks, and then the director of the
19 department, in this case General Jackson, chooses the
20 awards.

21 Tim Guardino was nominated for and has won the
22 Drury Award for Professional Integrity, awarded
23 posthumously. And his family will be receiving the
24 award April 24th at 1:00 p.m. at a ceremony downstairs
25 at the Resources Building. So if any of you happen to

1 be in Sacramento, happy to have you there. If not,
2 we'll send pictures and updates on that. He was an
3 outstanding individual. We actually nominated him for
4 a number of awards. This is one of the most
5 prestigious. So quite an honor for him, his family,
6 the entire Division.

7 CHAIR SLAVIK: Thank you. That was a tragedy.

8 **AGENDA ITEM - PUBLIC COMMENT ON AGENDA ITEMS IV(B)(2-7)**

9 CHAIR SLAVIK: Okay. Public comment on the
10 items that we have talked about so far.

11 NICK HARIS: Nick Haris, American Motorcyclist
12 Association. I actually was out eating, so I may be
13 commenting on something that was done a while ago. I
14 just wanted to mention on Senate Bill 234 that we've
15 now heard, there is going to be the first hearing on
16 April 9th. So if anybody in the crowd or Commission is
17 interested that's apparently the first date for a
18 hearing.

19 I also wanted to just comment, I did attend the
20 Tehachapi meeting, and I met Commissioner Patrovsky for
21 the first time, as well as Chairman Slavik. And I was
22 really happy to be there. I was really happy to see
23 this project. I wasn't up to speed, so to speak, on
24 what exactly is being proposed and what the property
25 really entails, and I think it's a great project. I'm

1 really happy to see it. It's going to definitely meet
2 a lot of demand we have, as well as bring a little more
3 clarity in the management of the area so we don't have
4 checkerboard issues of different management. I thought
5 it was a very good presentation. I would have liked to
6 have seen more of the public, but it was a very good
7 meeting, very informative. Thank you.

8 DAVE PICKETT: Dave Pickett, District 36,
9 Motorcycle Sports Committee. I wanted to make a
10 comment on the visitor attendance. I think that was
11 the fourth section, fourth goldenrod. But on page two
12 in the back was Item No. 3 with the controller shall
13 withhold \$833,000 from the monthly transfers to the
14 Off-Highway Vehicle Trust Fund per schedule, blah,
15 blah, blah.

16 Bottom line here is this is the \$10 million take
17 that the Senate Budget Subcommittee a number of years
18 ago took place. That continues on. This is a pure
19 take. I appreciate the young lady, Natalie, that put
20 this report together because it did make that fact
21 present for the public to take a look at.

22 That is \$69,000 a month, \$2300 a day, seven days
23 a week, 365 days a year that we pay for through our
24 green sticker and fuel tax sharing agreement. And we
25 have to figure a way to get that put back into our

1 budget. We are not hitting the grants that are needed.

2 So this has been going on now for a couple of
3 years, and I really want to bring this to the attention
4 of the public. That is a lot of money, \$2300 basically
5 a day. We need to figure out a way to get that fund
6 back into our program, especially when in January we
7 had a \$5 billion influx of capital that came in. And
8 perhaps the Commission should consider a letter to the
9 Governor and Secretary of Resources Laird and ask when
10 this can come to a stop. Every day I open up the
11 newspaper, and they're starting some new program or
12 enhancing with new money what they promised under
13 Prop. 30. I appreciate it. Thank you.

14 JIM BRAMHAM: Jim Bramham, Cal 4-Wheel Drive. I
15 just want to speak for a second on the ROHVA issue. I
16 serve on the Desert Advisory Subgroups for both the
17 Imperial Sand Dunes, which are down by Yuma, lowest
18 southern corner of California and the Dumont Dunes
19 area, which is in the Barstow Field Office in the
20 northern desert. Both of these areas receive extensive
21 visitations.

22 And basically the whole ROHVA thing started in
23 the sand dunes. Years ago folks would bring golf
24 carts, just regular golf carts to the dunes. Next
25 thing it was a modified golf cart. Next thing, it was

1 a more modified golf cart. They finally caught the eye
2 of the manufacturer. The manufacturer said, wow,
3 there's something people are using, bringing
4 themselves, making themselves, so they introduced the
5 first of the side-by-sides into the industry.

6 And so it's just a natural evolution in the sand
7 world. But in both of these locations, more than a
8 third of the users come from out of state. The
9 proximity of the Imperial Sand Dunes to Arizona,
10 Phoenix and Tucson specifically brings millions of
11 visitors a year out of Arizona. And these folks have
12 these vehicles. They've modified them. They've made
13 them work for their families, and that's what they
14 intend to use for their off-highway vehicle recreation.

15 If we cannot get this modified, the impact to
16 the local communities, and this is of great importance
17 to the desert gateway. There is the United Desert
18 Gateway Group, that's the folks from Imperial County,
19 Yuma County, chambers of commerce, that look after
20 this, you're going to have a lot of folks that don't
21 come there. And, likewise, with Dumont, more than a
22 third of that visitation comes out of Las Vegas, Nevada
23 because of the proximity to Las Vegas. Once again,
24 those folks are going to have to look for a different
25 recreation.

1 And so it's a highly important issue for Cal
2 4-Wheel. It is the fastest growing segment of the
3 four-wheel drive community, and we understand that.
4 But sand has always been a "Run what you brung" world.
5 We started taking dune buggies that are Volkswagens and
6 folks built dune buggies out of them. We modified
7 jeeps with bigger motors. Everything that's ever been
8 done in the sand has been a "run what you brung." And
9 that's the same thing here, is that these folks started
10 with golf carts. They modified them. They found a
11 vehicle that they could modify into something that
12 worked for their family. And if we cannot get this
13 legislation passed into a grandfathering state to
14 recognize absolutely that now vehicles are available
15 that are capable of doing family recreation, but the
16 folks who bought these vehicles in 2006, 2007, simply
17 do not have that opportunity with the vehicles they
18 currently own, you're going to make them less valuable,
19 and you're going to introduce a whole, well, we won't
20 ride where there is law enforcement. And that's not
21 something we want to see. Thank you.

22 JOHN STEWART: Good afternoon, Commissioners,
23 John Stewart, California Association of 4-Wheel Drive
24 Clubs. I appreciate hearing the report about the
25 attendance and about the grants. But I've read that

1 one statistic or way of looking at the grants is
2 missing. It noted that there is, what, \$30 million in
3 requests. Over the past few years, this is a
4 continuing issue in that each year there is more in
5 interest for grants than there is money to fulfill the
6 grants. Perhaps, it would be a good and interesting
7 number to look at how much is left on the table
8 unfunded at the end of each grant cycle.

9 Now, this really underscores the fact that the
10 partnerships between the federal agencies and the state
11 are the bulk of the OHV program. And it is one that is
12 little tracked, little defined, and is something that
13 does provide the bulk of the opportunity. Riding and
14 driving on the BLM managed lands in the national forest
15 is where the majority of the recreation opportunities
16 are. And from that respect, the grants are the ones
17 that support that riding opportunity. And having the
18 grants fully funded and even probably be best off if
19 they were even pushed up in order to provide an
20 equitable funding to assist and uncover the
21 recreational opportunity with the federal partners. So
22 this is something that I think we should look at for
23 the future, look at how much money is left on the table
24 and start pushing to get the grants program increased
25 because that is vitally important to the health of the

1 entire program for the state. Thank you.

2 CHAIR SLAVIK: Commissioners, time to weigh in.
3 Teresa, would you like to start on your end?

4 COMMISSIONER VILLEGAS: I'm going to pass.

5 COMMISSIONER MURPHY: Pass.

6 COMMISSIONER CABRAL: Actually, I have a couple
7 of questions. On the general plans, are those general
8 plans -- I notice there's contractors that are being
9 hired for the general plans. Are those a competitive
10 bid process or is that something they just deal with as
11 certain contractors? I didn't know. I'm not sure what
12 that is.

13 OHV STAFF CANFIELD: The general plan contractor
14 was secured through a RFQ, request for qualifications.
15 And then they're reviewed by a panel, scored, and then
16 contracted with the highest scoring recipient.

17 COMMISSIONER CABRAL: Okay. Cool, I just wanted
18 to know what that was.

19 And then the Carnegie -- just using that as an
20 example, you said that was in process, it's gone along
21 quite a ways. It is still being adjusted to the
22 controversy that's been surrounding it. I live in the
23 San Francisco Bay Area, so I see a lot in the media.
24 There is a lot of stories and stuff that are skewed one
25 way. And I was just wondering if because of this

1 controversy that's being created if that's having an
2 effect on the general plan.

3 OHV STAFF CANFIELD: For the Carnegie General
4 Plan, the work that's going on now as I described where
5 we're crafting the plan alternatives, a range, are not
6 affected by the media reports. Instead they're
7 directed by what we call our constraints. We have the
8 OHV Act that directs that we have SVRAs. And then we
9 make the most possible use recreation of the SVRAs.

10 We have the Endangered Species Act, Clean Water
11 Act, those are all of our constraints. So as we craft
12 these alternatives, we try to juggle. We try to
13 balance. We want to make the most possible use
14 recreationally out of the SVRA lands while still not
15 running afoul of Endangered Species Act, the Clean
16 Water Act. That's the step that the state is in. It's
17 not being affected by the media report.

18 CHIEF JENKINS: And to clarify, it's not being
19 affected by the ongoing media reports, but in a way it
20 is. Let me explain.

21 When we did our public scoping meeting, the
22 concerns that are being kind of turned over repeatedly
23 in some of these recent newspaper stories were brought
24 up at the public scoping meetings. Those are in our
25 discussions. In other words, we took all comments from

1 the public from all points of view and are looking at
2 those as we go through exactly what Mr. Canfield is
3 describing. We're looking at the constraints, looking
4 at mandates, looking at all of those things in the
5 context of what was suggested by the public, all
6 suggestions of the public. So we had all of those
7 comments. They're all on record, we had them. That's
8 what the team is considering.

9 And then there's been a number of news stories
10 that were circulated that are bringing it up as if
11 they're fresh ideas, but most of those ideas -- I think
12 at this point it's safe to say everything I've seen in
13 recent press stories are issues that were brought up by
14 various groups during our scoping meetings.

15 OHV STAFF CANFIELD: Thank you for reminding me
16 of that, Chief. In addition to the scoping meetings,
17 the general planning team also had a series of
18 stakeholder meetings that involved the visitors to the
19 SVRAs, neighbors, environmental groups from the Bay
20 Area, representatives of the Historic Society, so there
21 was this whole series of follow-up stakeholder meetings
22 where many of the folks that are being quoted in the
23 media report sat at the table with us and communicated
24 to the general plan team their concerns. So good
25 point, a lot of those ideas do come up with the media.

1 Rest assured, they've also been delivered to the team
2 through the formal general planning process.

3 COMMISSIONER CABRAL: Thank you.

4 CHAIR SLAVIK: At previous meetings, we talked
5 about taking some of those local folks out to Hollister
6 Hills, for instance, and doing a tour there and
7 basically demonstrate what State Parks has done.
8 Comment on that.

9 CHIEF JENKINS: Yes, we had offered some tours
10 at Hollister Hills to anybody that is interested. To
11 date, we haven't had any takers on that. We are
12 getting some interest from a couple elected officials,
13 so we're still negotiating times. It's always hard
14 with all of the pressures on their schedules to find
15 the time to get them out there. There are several
16 individuals who are trying to get out there, but nobody
17 from the general public has yet taken us up on that.
18 We'll continue to move forward.

19 The General is going to go out there soon.
20 We're trying to get a whole range of people so that
21 they can see a vision of what might be possible, not
22 what we're going to do because we don't know yet
23 because we haven't come to that point; to see a model
24 of what might be possible when we take them out and
25 show them some of the recent developments on the Renz

1 property and other properties.

2 CHAIR SLAVIK: So those invitations, is that
3 part of public record invitations to the public or
4 interested neighbors, for instance?

5 CHIEF JENKINS: I don't think they're really in
6 public records. They're usually in response to letters
7 to us making specific requests of why don't you take
8 this course of action. We'll respond with, we'll be
9 happy to show you what we're looking at, certainly
10 things that could be public record. Nobody has
11 requested those public records, but just an ongoing
12 dialogue in the community that we'll have with in any
13 group, any point of view that comes to us for
14 information.

15 OHV STAFF CANFIELD: To add, on the Carnegie
16 General Plan Team, we were able to host a tour of the
17 Renz properties with the regulators, the United States
18 Fish and Wildlife Service, Department of Fish and Game,
19 El Centro California Water Board, and it was
20 Jeff Gaffney, Superintendent Gaffney hosted the tour,
21 and it was very well received. The general plan team
22 is ready to do more of that. It's been scheduling it
23 that is complicated.

24 CHAIR SLAVIK: I have a couple of questions.
25 Regarding the Onyx property, we know we have a sunset

1 on the acquisition money that's coming up pretty close.
2 Can you kind of fill us in on that, and what happens if
3 we pass that date?

4 CHIEF JENKINS: It's tough to talk about that
5 one. I'll give you the outlines, and you can fill in
6 the blanks. Yes, that money disappears at the end of
7 the year. We have been working very closely on a daily
8 basis. When I see "we", I mean Jeff Gaffney, he's been
9 driving the process, with Dan supporting him and then
10 all of the folks in Division and his district --
11 working with our departments, land agents, working with
12 DGS, working with various lobbyists, various political
13 electives.

14 We're doing everything we can inside the system
15 without violating any processes to try to grease the
16 skids and get this thing done by June. I think we said
17 earlier it may not be done by June. We're trying to
18 develop backup plans, and that's part of that budget
19 process that, once again, I just can't say much more
20 about.

21 CHAIR SLAVIK: Is there any value in having a
22 subcommittee or Commissioners involved at this point?

23 OHV SUPT. GAFFNEY: Good afternoon,
24 Commissioners, Chairman Slavik. I'm Jeff Gaffney the
25 project manager for this, also the district

1 superintendent for Hollister Hills, Hungry Valley.

2 I think there are some things we can do probably
3 where -- I'm already having a meeting with
4 Commissioners Villegas and Perez with Senator Lara. I
5 think some of those things are probably things we'll be
6 talking about. You have your two budget subcommittees
7 on the Senate and Assembly side. There are people,
8 members on those committees, Commissioner Kerr is
9 familiar with a couple of them, those are the people
10 that probably need to be talked to in preparation for a
11 possible ask of an appropriation. Does that make
12 sense?

13 CHAIR SLAVIK: Any further questions?

14 COMMISSIONER PEREZ: A clarification,
15 Chief Jenkins. You said that in the end of the year or
16 the end of the fiscal year?

17 CHIEF JENKINS: The money expires this
18 June 30th. And the difficulty is going through that
19 Public Works Board process, there is like a schedule of
20 things that if you miss part of the schedule, then just
21 becomes physically impossible. We haven't hit that
22 point. We haven't hit that point yet. We're doing
23 everything we can to stay on track and make that final
24 deadline. Right now, we have high hopes of making the
25 deadline. It's not guaranteed; high hopes.

1 OHV SUPT. GAFFNEY: I think it's important to
2 note that the examination from the public as a whole
3 and the audit about the department acquiring new lands
4 has sort of had its peripheral damage to us; although,
5 we have a Trust Fund that is outlining how we would
6 maintain and take care of these lands. In the past
7 there's been a lot of questions about the other side of
8 the department not having the resources. So the
9 additional scrutiny slows us down. It's part of the
10 issues.

11 But just, once again, it's about educating,
12 informing people about how our system works and what we
13 are doing. We have not bitten off more than we can
14 chew in the past, and we will not do that. That's what
15 we continue to do. That's why we only have eight
16 SVRAs.

17 CHAIR SLAVIK: Another part of that question is
18 does an MOU somehow have to be constructed with BLM to
19 manage that land? Are we moving along on that tract,
20 as well?

21 OHV SUPT. GAFFNEY: Yes, I was very quietly in a
22 meeting with Chief Jenkins and the state director from
23 BLM last week, and they discussed that. We're moving
24 forward very smoothly with that. I don't see any
25 issues.

1 CHIEF JENKINS: We're looking at actually
2 working with the state director, Jim Kenneth, very good
3 to work with on this issue. We're looking at initially
4 just going in there and supporting the existing program
5 that's on the ground. While we go through a planning
6 process and look at what might be possible to grow the
7 program as we go.

8 So right now nothing we would go in there and do
9 will threaten existing operations, it's just going to
10 support what's going on, try to make what's going on a
11 little bit better. Then we will go through a general
12 planning process. That's where you all would come in
13 and we would look at what does the potential build-out
14 of the project look like in coordination with BLM.

15 CHAIR SLAVIK: I would suggest the Commissioners
16 and the public at large stay engaged on this. This is
17 probably one of the most significant items on our
18 agenda that we have. It's a huge piece of property
19 that probably that opportunity will never come up again
20 in our foreseeable future.

21 OHV SUPT. GAFFNEY: This is a legacy project, I
22 do agree.

23 CHAIR SLAVIK: Absolutely, a legacy project.
24 Good way to put it. I'm hoping the people that make
25 those decisions -- I know you guys are doing a good

1 job, but if there is anything we can do to help
2 encourage those people or at least bring people to the
3 table to give them a better understanding of the scope
4 of this thing.

5 CHIEF JENKINS: We are, proverbially, taking out
6 all of the stops on this one. This is like all hands
7 on deck. The General has on several occasions
8 reiterated that for the OHV part of State Parks this
9 project is his absolute top priority. We're getting
10 that level of support. So if it can be done, it will
11 be done.

12 COMMISSIONER MURPHY: I think there's some
13 reports in the media about is there any danger of
14 losing that property if we're not able to move forward?

15 CHIEF JENKINS: Very briefly there's two
16 possible ways this could move forward. The legislature
17 could decide to extend the money, the legislature and
18 Administration could decide to extend the money in
19 which case our acquisition would bleed over a little
20 bit into July or August. That's one possibility.
21 These are the two possibilities if we don't complete it
22 by June, by the way.

23 The other possibility is that if they didn't see
24 fit to extend those funds, we would have to request
25 funds again. It would take a year to get those funds.

1 And so then it's all like back in play. Who else would
2 come out to try to buy the property from the current
3 owners, ReNu, would somebody be trying to buy it before
4 we could get our money back in place. So then it all
5 becomes once again a moving chest board.

6 But, like I say, we have backup strategies and
7 plans that we are considering, and we're looking at
8 every scenario and developing our strategies. We're
9 tending our hopes, and we've got the General's backing
10 on making this happen by June. Hopefully, all of that
11 other planning will not be needed.

12 COMMISSIONER MURPHY: Okay. Any assistance that
13 I can be, I'm glad to help out. I'm in the general
14 area.

15 OHV SUPT. GAFFNEY: There are a couple of
16 members on the subcommittee from the area where you're
17 from, I think it would be helpful if you did meet with
18 them. I'd be available to go with you and talk to
19 them.

20 CHAIR SLAVIK: So, counsel, is this an item that
21 we could as the Commission submit support of this
22 project to whoever is interested?

23 COUNSEL TOBIAS: If you put it on the agenda.

24 CHAIR SLAVIK: Because it's not a business item,
25 we cannot submit it.

1 COMMISSIONER KERR: We've already supported it
2 in the past.

3 CHAIR SLAVIK: We haven't gotten a letter in the
4 hopper on this.

5 CHIEF JENKINS: I don't think support is any
6 problem on this. I think everybody all the way up the
7 chain is aware of the support from the community,
8 support from Audubon, and DNC, support from military,
9 quite frankly. There are many layers of support on
10 this. So I don't think there is a concern that we need
11 more support at this point. We just need to get the
12 machinery in government to move smoothly and get this
13 done.

14 OHV SUPT. GAFFNEY: Just echoing Commissioner
15 Villegas' comments from earlier, it's about education
16 and understanding what the program is about because we
17 have tremendous support for this, and I tend to see how
18 difficult it is with an off-highway vehicle project.
19 As soon as you say that, it's a lot of things that can
20 happen. But it's us doing that education as
21 Commissioner Villegas was talking about earlier.

22 CHAIR SLAVIK: I might add at the public scoping
23 meeting, there was a gentleman there and his wife,
24 Joe Fontaine, advised us he was a past president of the
25 Sierra Club, National Sierra Club. Obviously, the guy

1 has got some connections, and he sat in the audience.
2 He had some questions. Ed had talked to him previously
3 before the meeting started, kind of gave him a better
4 understanding of the scope of the project. He walked
5 away. He didn't seem to have any issues at all with
6 the things. So it sounds to me like a pretty good
7 endorsement.

8 OHV SUPT. GAFFNEY: Absolutely I'm available.
9 As I said, Hungry Valley would be a great example for
10 anybody. If you are talking to legislators, we can
11 take them out and show them what we do at an SVRA and
12 how it works.

13 COMMISSIONER MURPHY: One more thing, would it
14 be helpful to try to recontact those people,
15 re-establish the invitations, somehow reach out to them
16 at another time?

17 CHIEF JENKINS: Which people are you referring
18 to at this point?

19 COMMISSIONER MURPHY: The decisionmakers that we
20 need to move forward.

21 COMMISSIONER KERR: It's more procedures and
22 bureaucrats.

23 CHIEF JENKINS: Right now, it really has become
24 not an issue of the decisionmakers, per se. It's the
25 bureaucracy. Punching through it, it's tough. Like I

1 say, with the General's backing and hitting the agency
2 heads to get their own individual organizations, you
3 know, moving expeditiously as possible, that's the best
4 hope right now. That's the direction we're going. So
5 we really appreciate the offer and interest, but I
6 think right now leaving this to the General and Aaron
7 to really shepherd this through the process, backing up
8 Mr. Gaffney here, I think that's our best chance for
9 success.

10 OHV SUPT. GAFFNEY: And to clarify, too, we're
11 talking about if this all were not to be successful, we
12 wanted to have the meetings ahead of time. We've
13 already talked to them, and they're aware we're asking
14 for something additional in the way of appropriations.

15 COMMISSIONER KERR: You need to let us know.
16 Right now, that's not the way you want to go.

17 OHV SUPT. GAFFNEY: I'll let you know. We will
18 be talking.

19 CHAIR SLAVIK: We're leaving this ROV question
20 on the table. Does anybody want to weigh in on that at
21 all? It seems like that's an issue that's getting more
22 and more prominence in the recreation community. Do
23 you guys want to revisit that on a subsequent meeting?

24 COMMISSIONER CABRAL: I think so.

25 CHAIR SLAVIK: I don't know if there is any way

1 to weigh in on it. Basically, from my understanding,
2 the industry initiated the legislation based on their
3 experience with the ATVs. The ROV community responded
4 to that, and now it's kind of a give-or-take situation,
5 back and forth.

6 COMMISSIONER CABRAL: Well, I think that we have
7 a situation there, having dealt with distributors for
8 many types of vehicles, that they're concerned with
9 liability issues with the built-on, aftermarket kits
10 because there's been a number of instances when not
11 only the aftermarket kit makers but also the
12 manufacturer of the vehicles have been sued throughout
13 the last 30 years or so where they lost in court on
14 those circumstances.

15 So I think that's why getting that type of
16 support from the industry because they now make a
17 vehicle that will accommodate those types of things, so
18 it's a difficult situation is all I can really say.
19 It's going to be a tough one to go either way. I see
20 both sides of it.

21 **AGENDA ITEM IV(C) - REPORTS - BLM**

22 CHAIR SLAVIK: All right. Moving on to BLM, you
23 have been very patient here. Thank you. Would you
24 please come up and give your report.

25 BLM STAFF MATA: I think we figured you heard

1 from us so much yesterday that it would be fine if we
2 waited until later on in the afternoon. My name is
3 Jennifer Mata. I'm the field manager here in the
4 Redding Office, and I'm going to give kind of the rest
5 of the state report for BLM, and then Sky will come up
6 and concentrate on the Northern California piece, and
7 he actually has a real PowerPoint prepared for you
8 guys.

9 So in your packet you should have some
10 information that was put together from our state office
11 OHV leader. Her name is Jane Arteaga. She's not able
12 to be here today because of travel restrictions
13 associated with our budget.

14 So the first thing that I will talk about is the
15 Marine Corps/Johnson Valley update. So we signed -- or
16 the Navy signed a Record of Decision on February 11th,
17 2013 apparently to implement Alternative 6 with some
18 modifications. So I'm sure there are people in this
19 room that are much more in depth in this information
20 than I am. So BLM continues to work with the
21 Department of Defense and the Marines to expand the
22 Twenty-Nine Palms Marine Corps Base, but we've also
23 went ahead and identified the impacts that the proposed
24 expansion would have on OHV enthusiasts in the Johnson
25 Valley OHV area. And we have, I guess, explored

1 options that could provide both military training and
2 public recreation, and those were discussed in the
3 Record of Decision.

4 The 2012 Draft Business Plan Update for the
5 Imperial Sand Dunes would update the 2003 Business
6 Plan, and it's required to address gaps between agency
7 objectives, customer needs, and management capacity.
8 And without modification to the fee program, drastic
9 changes may occur to the recreation program as a result
10 of declining federal budgets. They started public
11 outreach on August 2010 at a DAC subgroup meeting, and
12 then they have continued several subsequent public
13 meetings resulting with the release of the draft
14 business plan in October of 2012. It looks like they
15 got about 236 letters, had 400 different comments, and
16 there is a nice little chart on the bottom that
17 demonstrates about 32 percent of the comments related
18 to the amount of the proposed fee; 19 percent talking
19 about the appropriateness of expenditures and the level
20 of service; and 15 percent talking about the impacts to
21 recreation visitation and socioeconomics. So this will
22 not be the only time people will be able to comment.
23 It says that the closure of the public comment period
24 and the document do not mark the conclusion of the
25 public process. Additional opportunities to engage in

1 the development of the business plan and overall
2 management of the ISDRA will continue, and there's a
3 link that is provided to the El Centro Field Office for
4 more information.

5 And then we will go on to some of the highlights
6 of El Centro. So it says that they've received
7 applications for ten AMA District 38 races within the
8 Placer City and Superstition open OHV areas, one for a
9 quad drag race within the Imperial Sand Dunes, one for
10 a four-by-four touring event, and three for rock
11 crawling events in Devil's Canyon. All of the events
12 that they've had there since September were successful,
13 with no serious safety issues noted.

14 So three protests are currently being resolved
15 for the Imperial Sand Dunes Recreation Area Management
16 Plan. And once they've resolved all of the protests
17 successfully, then we will issue a Record of Decision
18 to the public.

19 Year to date, there has been 544,687 visitor
20 days at the ISDRA, and then there is a financial fee
21 report also posted on the El Centro Field Office
22 website, 201 calls for rescue service, and they do have
23 many OHV grant projects in progress including closure,
24 signing, trash collection, EMS, rescue, law
25 enforcement, and restoration. And they have a new

1 ISDRA Facebook page, which for BLM is a pretty unique
2 thing. We don't often get Facebook pages with specific
3 areas. They're not limited to state level pages or
4 like our operation center, so it's rare that we get a
5 Facebook page dedicated to one area, so that's pretty
6 cool.

7 And then there is also a nice little article on
8 the Superstition Mountain occurred. More than 150
9 spectators turned out to watch 72 riders compete in the
10 Full Throttle 100 at Superstition Mountain OHV area in
11 February. So we remain busy in all parts of the state
12 on OHV.

13 So that's just a little dabble. I would
14 encourage you guys if you have specific questions, I
15 will answer them later on, but also contact Jane
16 Arteaga at our state office, and she can fill you in
17 more. And if you need her contact info, I will leave
18 you my card, and I will chase that number for you.

19 And I will turn it over to Sky. Thank you.

20 CHAIR SLAVIK: I would suggest all Commissioners
21 get on the BLM's newsletter, automatically be included
22 in their newsletter when you do that.

23 BLM STAFF ZAFFARANO: Afternoon, Commissioners,
24 Division staff, Sky Zaffarano, recreation planner,
25 Redding BLM Field Office. So I'm going to use a little

1 PowerPoint and focus in on four off-highway vehicle
2 recreation areas, OHV areas managed here in the
3 Northern California district. The little area map here
4 gives you kind of an idea of where each of these
5 locations are in reference to where we are now. You
6 can see Redding in the middle there. Most of us here
7 toured Chappie-Shasta yesterday, keep that kind of
8 brief, not hit you over the head with that too much.

9 So then we've got Samoa Dunes over on the coast.
10 That's a unique opportunity. And then we've got Port
11 Sage OHV area managed by the Eagle Lake Field Office,
12 just 45 minutes from Reno and 45 minutes from
13 Susanville. And we've got Cinder Cones managed by
14 Alturas Field Office, and that's actually under
15 development area.

16 So this is Chappie-Shasta Off-Highway Vehicle
17 Area located about 15 minutes from where we are now,
18 65,000-acre area, a little over 200 miles of road and
19 trails available for a variety of off-highway vehicle
20 types and skill levels, two developed OHV staging
21 areas. We've got really several dispersed areas where
22 you can park, but two that are somewhat also developed
23 with signing and information, mapping available. One
24 22-unit developed campground, one primitive campground
25 located kind of on one of those mountain peaks for

1 those that want a back country experience.

2 This is the kind of thing that Chappie-Shasta is
3 most famous for, the scenic vistas, Lake Shasta, Shasta
4 Dam, Mount Shasta, Trinity, Mount Lassen, remote riding
5 opportunities, distinct. Someone mentioned adventure
6 riding opportunities. We provide a lot of that kind of
7 thing; have people do a lot of bike packing, ride to
8 far destinations, and take enough stuff with them to
9 stay and participate in the opportunity riding. Kind
10 of jump-off point for a lot of dual sport riding,
11 getting increasingly popular with the side-by-side
12 riding because the scenic vistas and big touring loops.
13 There's a host of about five off-highway race and
14 events things per year, everything from poker runs to
15 AMA sanctioned races.

16 A little bit of taste of what the facilities are
17 like there. We've got camping area. We've got the
18 main Chappie-Shasta OHV Staging Area where we started
19 with our tour yesterday and shade structure. That
20 place really developed around being able to handle
21 those type of events with 400, 500 participants and
22 riders. That's just the riders. You end up with over
23 a thousand people there at a time.

24 Campground we recently installed, the new
25 concrete picnic tables. Copley Mountain Staging Area,

1 our other kind of smaller staging area developed after
2 9/11 when the dam access closed, has become
3 increasingly popular.

4 And road and trail maintenance is an integral
5 part of our whole program at Chappie-Shasta, and we've
6 been fortunate to get a lot of support from OHV funds
7 to purchase the equipment we need and put that out on
8 the ground and improve the trail systems, both for
9 resource and for usability of the area.

10 So future projects, working with keep doing
11 trail maintenance, and going to develop new trails, and
12 connect dead ends, and try to keep providing increasing
13 loop opportunities. Land acquisition is a critical
14 part. If you can look at that map, you can see kind of
15 in these areas here, the white properties, those are
16 private end holdings. And then the yellow is the BLM
17 Forest Service. So we're always trying to acquire land
18 where we can, trying to focus our acquisitions on small
19 pieces that surround actual trail opportunities or have
20 the potential for trail opportunity instead of buying
21 these blocks where we're not going to be able to
22 develop trails and provide OHV opportunities, continue
23 law enforcement and patrol education.

24 This is Eagle Lake Field Office for staging OHV
25 areas located right between Susanville and Reno on 395.

1 It offers a really unique desert riding, very scenic
2 opportunity, excellent family opportunities. They're a
3 29,000 acre, 90 miles of trail, got two developed OHV
4 trailheads and one small park area. Real popular with
5 this type of use, the RV, and camp for four or five
6 days, trailer type of use.

7 They've got a biannual Lassen Motorcycle Club
8 race event that they do up there, very successful
9 event, well run. There is kind of improvements that
10 have been recently done using OHV funds. The main
11 forest staging trailhead, new concrete picnic tables.
12 You can see grading, gravelling, new fire rings. And
13 similar, this up here, is the Widow Maker Trailhead
14 kind of on the other side of Fort Davies, and this is
15 the infamous Widow Maker Downhill. So same thing,
16 graded, gravel parking areas, got concrete picnic
17 table, replaced kiosks there, small parking lot. And
18 so they've got the same type of facilities
19 improvements, signing, picnic tables, and this little
20 restoration project. You can see these hill climbs,
21 and they removed that using an OHV restoration fund.

22 Ongoing trail maintenance, a critical part of
23 the program, as well, Sweco trail maintenance performed
24 annually. Sometimes they'll get these ruts. I think
25 they only get nine inches of rain. The sandy

1 conditions get really woofed out, those that are
2 familiar with desert riding conditions. We go up there
3 with a little Sweco and knock down the woofs. We do
4 that about once a year to keep people on the trail as
5 well so they won't meander off trying to get a smoother
6 ride.

7 So same thing, ongoing trail maintenance,
8 installation of a new CXT vault toilet. Restoration
9 project, the Turtle Mountain, trail planning
10 development correcting dead ends to improve, the land
11 acquisition important there. You can see the parcel
12 right there, we right now have a grant application in
13 to purchase it right here; would provide a critical
14 connection without having to ride this stretch of
15 county road or you can go out around, but that would
16 really increase the usability of the Widow Maker
17 Trailhead, continue law enforcement, brochure updates
18 at staging changes.

19 Samoa Dunes Recreation Area, most of you are
20 probably familiar with these areas. Really Samoa Dunes
21 is mainly unique that one of two areas that you can
22 ride along the beach in California, the other being the
23 Oceano Dunes we've been discussing, over 420 acres of
24 open use. This is kind of a unique trail system that
25 kind of winds through the dunes there. There is an

1 overview of their main staging, actually a nice
2 facility; got a new CXT there, real open access to the
3 dunes. You guys can read those instead of me reading
4 those to you. Click through this a little quicker.

5 We've got an actual designated AA training site
6 four by four obstacle course for BLM managed area, got
7 the unloading ramps, of course. This is kind of what
8 it looks like at Samoa, beach property, trail
9 maintenance ongoing, same as the other areas except
10 they're going to replace those uploading ramps that you
11 saw.

12 And then there is a real small area way out of
13 the way kind of up in northeastern California managed
14 by the Alturas Field Office, the Cinder Cone OHV area;
15 been up there to visit about a year ago, kind of under
16 development. It is currently used, as you can see.
17 They have kind of two concentric loops, one bigger and
18 one inner loop. It's used by the locals there from a
19 little town of Fall River Mill. It's too far of a
20 drive from Alturas. They've got their sign, and
21 they'll be applying for grant funds hopefully this year
22 so they can put some concrete picnic tables in there,
23 install some shade structures, maybe some fire rings.
24 It's actually like the other three, kind of a unique
25 opportunity and interesting place. That's kind of your

1 finishing slide. That's all. Thank you.

2 CHAIR SLAVIK: Okay. That's it. Public comment
3 on the BLM report.

4 JIM BRAMHAM: Jim Bramham, I appreciate the
5 snappy microphone system you have today. I just want
6 to point out some ISDRA facts to you, this Imperial
7 Sand Dunes Recreation Area. The report that you got
8 from the Bureau talks about 500,000 visitor days per
9 month, just makes the Hammers look like Tiny Tim as far
10 as the amount of visitation. They also talked about
11 the fact that we now have an almost 12-year delayed
12 recreation management plan that's about to be signed.
13 It's down to the final protests in Washington. And the
14 implementation of that new recreation area management
15 plan is going to be incumbent upon funding, and that
16 brings us around to the item that's most prevalent in
17 their report, which is their business plan for how to
18 operate the sand dunes.

19 And for your Commissioners, I just want to back
20 up, when I was on the Commission back in the '90s, the
21 BLM started their first fee program in an area that
22 also received grant money at the Imperial Sand Dunes.
23 They said not only are you getting a million dollars a
24 year in OHV grant money, but we want more money from
25 the users to help manage the place. The public outcry

1 against that was absolutely phenomenal. And what came
2 out of that was what was called a technical review
3 team, which was that a group of dune users and local
4 stakeholders would operate in an advisory capacity to
5 the Bureau of Land Management. And an MOU was signed
6 between Division and the Bureau of Land Management that
7 allowed this group to have understanding of
8 appropriated dollars that were used in that area, grant
9 dollars, OHV grant dollars that were used in that area,
10 and the fee monies and how those were to be spent. So
11 this group for five years got the input of all of
12 those -- all of that information, and then gave the
13 Bureau suggestions on how best to manage the area. It
14 improved the facility tremendously.

15 But what the secondary thing that happened with
16 that was what we called flee from fee. Because folks
17 had never had fees for public land access before, above
18 and beyond what their normal green sticker was, and it
19 fundamentally changed how the desert was used,
20 especially in that area. It increased the visitorship
21 at Ocotillo Wells dramatically because those folks
22 coming out of San Diego and Inland Imperial, it's
23 shorter distance to go to Ocotillo Wells, and I don't
24 have to pay a fee.

25 So as this business plan, they talk about -- in

1 your report talks about the public process started in
2 2010. That's actually very inaccurate. It started in
3 2007, culminated with a 2008 desire to go before the
4 Recreation Advisory Council for approval of a fee
5 increase. They could not get public support to do it
6 then, so they came back to try to start doing it in
7 2010, and subsequently came out with this proposed
8 plan. That plan was opposed by every stakeholder in
9 the desert back in October, just four months ago, six
10 months ago. The county opposed it. The chamber of
11 commerce has opposed it. The local cities have opposed
12 it, the OHV groups opposed it, and the dune users
13 opposed it. They got 200 some comment letters on what
14 should be a basic business plan.

15 And so what the users and the subgroup have been
16 asking of the Bureau for more than eight years is
17 simply to explain to us what it costs to operate the
18 dunes. And when we say cost, that isn't what they
19 spent, it's what it actually costs to operate. This is
20 the same thing as if you're in your home, if your CC&Rs
21 tell you that you have to mow your lawn, you can put
22 gas in a lawn mower and mow it, it's 50 bucks a year,
23 or you can hire a lawn service for \$1,000 a year. And
24 what the folks want to know is what it actually costs
25 and whether in some cases it would be better to do that

1 by volunteer work, rather than paying employees.

2 CHAIR SLAVIK: Jim, I have to ask you to
3 summarize here.

4 JIM BRAMHAM: You need to follow this. That's
5 the summary. The Commission and the Division need to
6 follow this business plan extremely closely because it
7 will affect user patterns, and it will greatly affect
8 satisfaction of the consumer.

9 CHAIR SLAVIK: Thank you.

10 JOHN STEWART: John Stewart, California
11 Association of 4-Wheel Drive Clubs. There's two things
12 that I would like to draw your attention to is that
13 when the BLM El Centro reports that they had three
14 permits for rock crawling events in Devil Canyon, this
15 kind of brings up an ongoing issue that BLM is still
16 refusing to recognize, that non-spectator events are
17 not events requiring the in-depth paperwork, the
18 insurance requirements, and everything, and all of the
19 paperwork that spectator events require.

20 Now, you saw earlier with Johnson Valley and
21 King of the Hammers, all of the extra work that went in
22 with fencing to provide for spectator control. That's
23 well and good. That's appropriate for that type of
24 event.

25 But when you have a club and family members and

1 it is limited to less than ten vehicles at a time and
2 there are no spectators and yet to get that permit it
3 is still being treated as a major spectator-attended
4 event, and that is something that has been challenging
5 the BLM on that for a long time. They have yet to
6 correct their oversight.

7 And I'm also disappointed that the BLM has
8 failed to address one of the major impacts coming to
9 the desert that will have an impact upon recreation
10 called the Desert Renewal Energy Conservation Plan.
11 The DRECP will close off major efforts or major
12 portions of the desert that are now used for
13 recreation, and this is areas where they are currently
14 applying for grants to manage for law enforcement and
15 other things, and yet they fail to address that as an
16 issue that is coming up and is going to be providing a
17 loss of opportunity in the desert region. It is
18 something I would encourage the Commission to go back
19 and look for and question the BLM on because it is
20 going to be a significant issue. Thank you.

21 CHAIR SLAVIK: Any questions from the
22 Commissioners?

23 COMMISSIONER CABRAL: Yes, I'd like to ask the
24 BLM staff what the gentleman just spoke to on the
25 different events. Do you use the same permitting

1 process for all of those types of events?

2 BLM STAFF ZAFFARANO: Yes, we do. It's hard to
3 speak to exactly the events he's talking about, but,
4 you know, say our area, take for instance out here, we
5 do hold, like I say, about five special recreation
6 permits per year. Specifically to the insurance, the
7 insurance requirement that we have doesn't just cover
8 spectator. It's there to cover also injured
9 participants, that type of thing, staff members, you
10 know, club members.

11 So I'll try to just give you an example. Like
12 maybe our smallest event is say a poker run, local ATV
13 club has a poker run, and they estimate they'll have a
14 hundred participants. They get the same insurance to
15 cover those participants and are under the same special
16 recreation permit guidance regulations as the event
17 that was mentioned that has close to 500 participants
18 and does have a spectator component.

19 We manage a bit differently as far as the
20 on-the-ground interaction with the club in order to
21 make sure that the spectators are accounted for, more
22 so than an event that doesn't have a spectator. But
23 it's a very similar process getting that special
24 recreation permit.

25 COMMISSIONER CABRAL: What level of a number of

1 an unorganized ride or drive, how many people do you
2 have to have or how many participants before they need
3 a permit?

4 BLM STAFF ZAFFARANO: I don't have it right in
5 front of me, but I think it depends on a number of
6 criteria. And to my knowledge it can kind of come down
7 to the field office area manager's discretion as to
8 setting a threshold, is what you're looking for. I'm
9 not positive. I've read quite a bit through the
10 special recreation permit guidelines. There is a
11 multitude of different kinds of permits that you can
12 issue, commercial, competitive, depending on the
13 specific, even if it's a family ride, club ride, that's
14 going to be different.

15 But there isn't necessarily a bottom or a
16 threshold number. It just depends on what they're
17 doing. And there are some other criteria that kick it
18 into requiring a permit regardless of number.
19 Basically if they're publicly advertising it, if
20 they're collecting funds for people to participate,
21 they might only have ten riders, it might be a guided
22 tour, but that's similar to like our fishing guide
23 permit, you're still paying for a service. They're
24 making money, so they have to get a permit.

25 CHAIR SLAVIK: One more question before you

1 leave.

2 BLM STAFF MATA: I just want to clarify one
3 thing. The special recreation permit process that we
4 go through is not even -- the manual is written at a
5 national level. So it's nothing that we can alter at a
6 field office level or even a state level. So we get
7 into discussions about permitting process, that's a
8 Washington office national level manual for us.

9 COMMISSIONER CABRAL: I was just looking for
10 some clarity on it. That's all. Thank you.

11 Sky, once again, everything you've done and your
12 professionalism on the ground, how you explain things
13 has been excellent. I really appreciate that.

14 CHAIR SLAVIK: Some time ago I was with a BLM
15 planner Jim -- I can't remember his last name, but went
16 to Samoa Dunes. There was a proposal to put in a
17 Motocross track there. And we talked at some length
18 about the possibility of literally a world class
19 motocross track right next to the ocean that would
20 benefit that entire community to a pretty serious
21 degree. Any thoughts on that? Anybody ever done any
22 follow-up?

23 BLM STAFF ZAFFARANO: I'm not with the specific
24 project.

25 CHAIR SLAVIK: I knew that wasn't going anywhere

1 anyway.

2 BLM STAFF MATA: I will follow up that with two
3 separate things.

4 We actually held a Resource Advisory Council
5 meeting in the Arcata Field Office. We had like a
6 citizen group there attending with the secretary. They
7 represent all different interests. We've had Eric
8 Lueder on there currently for the northwest who I think
9 was on the Commission a while ago.

10 And at that meeting people did bring up more
11 interest in seeing OHV-type opportunities in Arcata,
12 specifically the field managers there, she did hear
13 that. Also, both the Redding Field Office and Arcata
14 Field Office has requested funds to go through the
15 process to redo our resource management plans, which is
16 a guiding direction for how we manage the entire field
17 office.

18 So if those plans are actually funded, we could
19 kick that process off in 2014, which would be the
20 perfect time as members of the Commission or the public
21 to submit those kinds of requests for use, to both of
22 those offices so we would look at those opportunities.

23 CHAIR SLAVIK: I would submit on a small
24 footprint you can keep a lot of people busy. Thank
25 you.

1 Let's take a short break, and then we'll come
2 back and finish up.

3 (Returned at 3:16 from a break beginning at 3:06.)

4 CHAIR SLAVIK: Before we do the Forest Service,
5 we had one last BLM concern, Jennifer, regarding the
6 fee structure and this proposed plan at Imperial Sand
7 Dunes. We're thinking that's a pretty big deal, and we
8 would like to agendize that item because we can't
9 really do anything at this point, but we'd like to
10 agendize that item for the next meeting. And since
11 it's going to be in Sacramento, I'd like to request
12 that we have maybe Jim Kenna or somebody else there for
13 a while and kind of visit with us on that.

14 And I guess the other thing is if you could
15 carry that message back to Sacramento, that would be
16 appreciated.

17 BLM STAFF MATA: That's no problem. I'll
18 actually be giving kind of a brief of what happened
19 here in these last couple of days in our state
20 leadership team meeting this Monday. I will definitely
21 let them know.

22 I would stay as engaged as you can with Jane
23 Arteaga. She was really upset that she couldn't make
24 her first Commission meeting.

25 CHAIR SLAVIK: I think she was at one in

1 Hollister.

2 BLM STAFF MATA: One, yes. She was pretty upset
3 that due to our budget situation she couldn't come, but
4 I will definitely pass that on.

5 CHAIR SLAVIK: Thank you.

6 **AGENDA ITEM IV(D) - REPORTS - USFS**

7 CHAIR SLAVIK: Okay. Forest Service.

8 USFS STAFF VILLANUEVA: Good afternoon,
9 Commissioners and Division staff, my name is Garrett
10 Villanueva. I'm with the United States Forest Service.
11 And on Tab 6 you should find this write-up that
12 Kathleen Mick put together. I'm here on behalf of
13 Kathleen Mick at her request. One thing she wanted to
14 make sure that I passed on clearly to you is that all
15 of the topics that I'm going to cover today, and I'm
16 going to kind of hit the highlights of them and not go
17 into great depth, because of the 16 or 18 pages of
18 words I think we will have some people snoozing if we
19 go through that much detail, but she really wanted me
20 to make sure that I stated for future items you would
21 like the Forest Service to report on, go ahead and
22 contact Kathleen Mick. Her information is right here.
23 We will make sure she can address those in the
24 Commission meeting and report on those.

25 Five topics that I'm going to hit upon, travel

1 management and the lawsuits that are associated with
2 them; talk about the Science Synthesis for forest plan
3 and revision for the three forests that are going
4 forward under the new planning rule. I'm going to
5 touch on the Eldorado National Forest 42 Trails, that's
6 the Meadows situation, and the Southern California Land
7 Management Plan, and that's it.

8 So let me start with the travel management
9 stuff. I think everyone is very familiar with the CFR
10 261. I'll cover it super fast. Subpart A, that's the
11 requirement for the travel analysis process, which
12 typically identifies the minimum system for our
13 motorized routes, okay. Subpart B is the actual
14 creation of the Motor Vehicle Use Map, which is the
15 regulatory tool for which we use to share with the
16 public which routes are open and which routes are not
17 open. Subpart C is for over-snow vehicles, and
18 Subpart C is different. You'll see in the write-up the
19 word underlined is "may". So the responsible official
20 on each unit may allow, restrict or prohibit use by
21 over-snow vehicles.

22 And right now currently we have in Region 5 we
23 have zero forests that are using OSVUM, as we call it,
24 or Over-Snow Vehicle Use Map, but those will be
25 developed over time. We're looking to see those

1 released. That's a big "may", and the reason why
2 that's important is because on page three when we start
3 to look at the lawsuits related to travel management
4 out there, it says, first, the nationwide lawsuit that
5 was filed is based upon it being a "may" because
6 they're considering that to be an exemption from the
7 requirement for over snow route designation. It's
8 optional. So that's an important clarification in my
9 opinion.

10 The second lawsuit is in litigation right now,
11 so I can't really speak any more to that than what we
12 have here, but basically the lawsuit is about the
13 implementation of grooming activities in that the
14 lawsuit is contending that proper NEPA was not followed
15 to conduct those grooming activities.

16 So moving right along, the Science Synthesis is
17 my next topic. So there's three forests known as the
18 early adopters of the new planning rule. The Sierra,
19 Sequoia, and the Inyo National Forests are moving
20 forward with the new planning rule. And the idea
21 behind the Science Synthesis is to have kind of a piece
22 of universal science that can be used as a little bit
23 of a boilerplate -- I hate to use that word because it
24 has negative connotations -- that can be used to
25 optimize the efficiency of the creation of new land

1 management plans and inform those plans by the best
2 science that's out there.

3 One of the interesting things about the Science
4 Synthesis is on page five, first paragraph there,
5 stakeholders can help identify and fill those gaps
6 through an assessment process in meetings and workshops
7 but also through the living assessment. So I didn't
8 know what that living assessment was when I first got
9 this document to share with you, and so I asked. And
10 what the living assessment is it's kind of a process,
11 is what it is, where the public can go on-line and
12 through the links on here -- and all these links are
13 active -- I think you got mailed this electronically.
14 So you can go click on those links. And you can -- and
15 we call it wiki, I'll explain that what means, meaning
16 you can go in and cite new sources for scientific
17 information that apply to the different sections of the
18 synthesis. Hopefully, that's relatively clear. But
19 the information does have to be peer-reviewed
20 scientific paper. So it's not white paper data. It's
21 not the fluffy soft science, but it's the hard
22 peer-reviewed science. I want to make that
23 distinction.

24 There is one typo at the bottom of that page
25 where soil was lumped in under socioeconomic cultural

1 concerns. Soil is its own heading on one of the
2 scientific disciplines that's being covered in that.

3 So I'm going to gloss over this. There is a lot
4 of material on that, so I'm not going to go into detail
5 on those. There's also going to be a follow-up
6 presentation that I'll get into a little more detail on
7 that, on those aspects for you.

8 So with that, my next topic is the Eldorado
9 National Forest 42 Trails, and I'm going to hit a
10 couple of highlights on this. So on May 26th, 2011
11 Judge Carlton found that the Forest Service failed to
12 comply with the natural forest management when it
13 designated 42 motorized routes that crossed portions of
14 Meadows with the 2008 Motorized Travel Management
15 Decision. I think everyone is pretty familiar with
16 that. The order also stated that the Forest Service
17 failed to complete a required riparian conservation
18 objective analysis, and that's part of our standard of
19 Cal lines for the land and resource management plans
20 for that forest.

21 So I wanted to hit on a couple of high points,
22 the timeline that's in your document on page 14 and 15.
23 On September 21st, 2012, the revised Motor Vehicle Use
24 Map became available, and that was ordered by the judge
25 that it be revised to reflect those routes being closed

1 until reanalyzed. And then also the Supplemental
2 Environmental Impact Statement, or SEIS, a draft is
3 being released and is currently open for public comment
4 until April 8th. So April 8th is when the comments on
5 the draft Supplemental Environmental Impact Statement
6 are due, which is coming up pretty soon.

7 The next item I have is the Southern California
8 Forestland Management Plans for the Cleveland,
9 San Bernardino, and Los Angeles draft Supplemental
10 Environmental Impact Statement. And this is the one I
11 think the abstract is actually at the end -- I
12 apologize for that. It's normally up front. But
13 basically this is analyzing two new alternatives to
14 address land management zones specific to roadless
15 areas, okay. And so one of those, Alternative 3, would
16 allocate a larger share of the inventory roadless areas
17 to wilderness designation, and then Alternative C would
18 require extensive monitoring. So those are two new
19 alternatives to be analyzed for those forest plans, and
20 they are specific to inventory roadless area.

21 And with that, I wanted to keep it short because
22 I know we're running long. That's all I'm going to
23 report on unless there are specific questions.

24 CHAIR SLAVIK: Stick around. Thank you.

25 **AGENDA ITEM V(B) - BUSINESS ITEM - PROPOSAL TO DRAFT A**

1 **LETTER TO THE USFS REGARDING THE USFS SCIENCE SYNTHESIS**

2 CHAIR SLAVIK: And what we'd like to do is
3 include Item B under Business Items so we can talk
4 about Science Synthesis while you're here and get that
5 off the table.

6 Did you want to explain more about Science
7 Synthesis, or do you think it was adequate what you
8 did?

9 USFS STAFF VILLANUEVA: I think my overview
10 might have covered it, and then we will let Chris go.
11 And then if there's additional questions, perhaps I can
12 answer those?

13 CHAIR SLAVIK: Yes, sure. Sit by close.

14 OHV STAFF HUITT: Good afternoon, Commissioners,
15 Chair Slavik. My name is Christopher Huitt. I'm the
16 environmental program manager for the OHMVR Division.

17 U.S. Forest Service has released a document
18 called, "2013 Science Synthesis --" it's a long
19 title -- "To Support Land and Resource Management Plan
20 Revision in the Sierra Nevada and Southern Cascades."
21 We'll just call this the Science Synthesis report.

22 It's a synthesis of recent science relevant to
23 forest plans in the areas relating to forest and
24 mountains in the Sierra Nevada and Southern Cascades
25 and the Modoc plan. The areas that are in question are

1 found in there, which is attachment one, that is
2 included under Tab 8 of your binder.

3 The Stewards of the Sequoia have submitted a
4 comment letter to the U.S. Fish and Wildlife Service,
5 which has been cosigned by over 60 organizations and
6 clubs representing motorized and non-motorized
7 recreation and other land uses challenging the
8 synthesis report.

9 Forest Service and Sierra Nevada and Southern
10 Cascades are preparing to review and revise their plan.
11 It's called LRMP for Land Resource Management Plans.
12 The three most southern regions of the national
13 forests, as stated by Garrett before me, were the Inyo,
14 the Sierra, and the Sequoia. They were selected to be
15 the lead forests from Region Five, and this will
16 ultimately include the rest of the 155 national forests
17 throughout the United States.

18 The 2013 report integrates findings from a range
19 of scientific disciplines to inform and develop the
20 management strategies. The goal is to inform the
21 forest planning across the synthesis area, rather than
22 at the project level, like Garrett had said previously.
23 What it will do is it will set the baseline, and then
24 from there they can go to that section, depending upon
25 the type of work, fire, forest, genetics, zoology, they

1 can actually look at those specific areas and use some
2 of the references that were used to form a baseline so
3 that they can go in and do specific projects like you
4 would do in the EIR. So if you have a project or a
5 programmatic EIR, then what you can do is you have a
6 base document that explains the type of restoration or
7 work that's going to be done that will have an impact
8 to the environment. And then from there you can tier
9 off of that for the specific projects that are going to
10 be done.

11 Some of the topics specifically in the document,
12 there's a very long list that is discussed, forest
13 ecology, genetics, fire, fire fuel, fire and tribal
14 cultural resources, post wildfire management, soils,
15 water resources, aquatic resource systems. There is a
16 long list of scientific parameters that have been set
17 in the document.

18 The Stewards of the Sequoia had submitted a
19 16-page document. And within that document, there's a
20 list of citations that the Stewards of the Sequoia
21 believe that are inappropriate or that could be
22 corrected. And in that letter they have provided
23 comments to specifically correct those potential
24 errors.

25 The Science Synthesis report will be used to set

1 direction and provide citations for the upcoming forest
2 plan revisions. Because these concerns that were
3 brought up by the Stewards of the Sequoias in multiple
4 sections of the Science Synthesis, they believe that
5 some of them are inaccurate. So these statements
6 regarding those are they failed to include -- many
7 sections within the document did not discuss OHV use or
8 any other recreational uses. It was very, very parse
9 when it came to that. I think there was three pages
10 total that discussed OHV use within the 504-page
11 document, which I did read.

12 But with that, that concludes my presentation.
13 And if you'd like, I would be more than happy to
14 entertain questions when they're appropriate.

15 CHAIR SLAVIK: Sit down for a minute, and we'll
16 call for public comment and then move on.

17 Public comment on this.

18 AMY GRANAT: Amy Granat, California Off-Road
19 Vehicle Association. And I've actually provided to
20 each one of the Commissioners part of the Science
21 Synthesis so you can see exactly what we're talking
22 about. When we first heard the name Science Synthesis,
23 we weren't sure what it meant, and we called the
24 made-up science, and to a certain extent, it is. It's
25 problematic for a number of reasons, and Chris and

1 Garrett I think were very, very nice about it. And I
2 have to thank my colleague, Chris Horgan, for really
3 pointing out some of the problems.

4 In here you'll notice on the first page it talks
5 about engaging with forest managers and stakeholders
6 team. I'm lucky enough to represent OHV on the Sierra
7 Cascades Dialogues, which are a series of dialogues
8 that take place about every two to three months. I'm
9 on the steering committee, and I was never given this.
10 Almost everyone else on the steering committee was
11 given this. Representatives specifically from the
12 Wilderness Society, Sierra Forest Legacy. There was a
13 county that was given it. We were not. We were
14 excluded, any recreation.

15 We also met with Back Country Horsemen and
16 Travel Limited, they were excluded, as well. The only
17 good part about it is we weren't excluded alone. So
18 now we've got company, and they were very nice people.

19 So when they talk about stakeholders, and they
20 talk about the Sierra Cascades Dialogues, so far we've
21 had two dialogues strictly devoted to recreation. One
22 was about multiple forms of recreation, and the other
23 was about economic recreation, and economic benefits to
24 rural counties from recreation. None of that was
25 reflected in this document at all.

1 One of the most interesting parts in here
2 actually is further on, it talks about the American
3 marten, and I don't know if any of you were on the
4 Commission when the OHV actually funded the Commission
5 to study the effects of OHV recreation on the American
6 marten. Phil, do you remember that study?

7 CHIEF JENKINS: The frozen chicken study?

8 AMY GRANAT: The American marten is an indicator
9 species for the Forest Service, kind of a little
10 weasely sort of thing.

11 But the woman sat here and Gary Willard -- I'll
12 never forget this -- the study proved there was no
13 impact on the American marten from proximity, from
14 noise from OHV, from anything from OHV, but she still
15 presented her report as: But if the situation changes,
16 we don't know what it will be. And Gary Willard very
17 wisely at the time said: But you've studied it on the
18 busiest weekends, on the lightest weekends, and there
19 is no difference in between no matter how many OHV
20 vehicles went by their nests. And she said: Yes,
21 that's true, but if those patterns change.

22 And sure enough, in here on your page 13,
23 potential impacts on the marten are discussed in a
24 separate chapter, and they do give it a whole separate
25 chapter, but we know that there are no impacts.

1 They're choosing to define things through their own
2 bias. It is discrimination at its core. It's
3 discrimination against motorized access, and this is
4 what is important to understand.

5 I talked to Dr. Friend, who is head of Pacific
6 Southwest Research Station, very laudable individual,
7 but he has no concept of how, first of all, his
8 recommendations are going to affect land use on the
9 ground and second of all what people expect from a
10 forest, people either in rural communities or people
11 who come to recreate. What they expect from a forest,
12 depending on peer-reviewed research, how much
13 peer-reviewed research do we have from off-roaders?
14 Very little. We don't have that opportunity. Most of
15 us aren't scientists. My husband is an engineer. We
16 have professionals, doctors, lawyers, et cetera, but it
17 has not been an area that has been studied extensively.
18 So we're already on the defensive.

19 And on top of that they never point out social
20 benefits, economic benefit, ecological benefits, and
21 they don't want to. So what do we do? We have to
22 force people. We have to make them understand that OHV
23 recreation is a valid form of recreation, and I told
24 Dr. Friend this, but he said if it causes impacts. I
25 said where are your studies on mitigation of impacts or

1 management of impacts. They are not in here. On every
2 other area, they talk about mitigation techniques and
3 management techniques, not when he refers to OHV or
4 recreation. All we're asking for is to be fair.

5 There was a conference call two days ago with
6 representatives from the House Natural Resources
7 Committee. Chris Horgan got so angry that he contacted
8 Congresswoman McCarthy, who is very interested in the
9 issues. And on the House Natural Resources Committee,
10 Pacific Southern Region Station got called on the
11 carpet.

12 I've offered to meet with him, educate his
13 people. No response back. It's unconscionable. And
14 the biggest blow of all is that the whole OHV Division
15 and the OHMVR Commission, you weren't consulted.
16 Nobody asked you anything. The biggest supporter in
17 money, in dollars of the Forest Service in California
18 is the OHV Grant Trust Fund. For years and years and
19 years, I couldn't even add how many millions,
20 \$14 million a year alone went into travel management,
21 14.1, why was this not noted?

22 And when we get upset, they say, well, we have
23 been working with Sierra Forest Legacy for such a long
24 time, and we know they understand forest issues.
25 That's another way of saying: We don't think you're

1 too smart.

2 Well, I've got news for them. We are smart.
3 We're getting political more and more every day. We
4 are getting contacts. But because our money seems to
5 be taken very readily, I've never seen them refuse a
6 grant, they have never come and said, oh, it's the OHV
7 Commission, we're not going to take your \$3 million, we
8 have to force them to listen to us, and we need your
9 help to do that.

10 CHAIR SLAVIK: Amy, your time has been up for
11 some time, and I understand it's an important subject.

12 Does anybody want to donate time to Amy to
13 continue this conversation? Do you have more to say?

14 AUDIENCE MEMBER: She can have my time.

15 AUDIENCE MEMBER: She can have all my time.

16 AMY GRANAT: I want you to understand that this
17 study, it says on one of the earlier pages, it says:
18 This information will be valuable and be used in all
19 the other areas except perhaps the Great Basin. So
20 what they're doing here, Pacific Southwest Research
21 Station is going to echo throughout the country. So
22 we're at the forefront. We can either do something or
23 not do something. Chris and I are fighting as hard as
24 we can. We are really yelling, nicely, respectfully,
25 but, you know, upset.

1 But we need the help of the Division, and we
2 need the help of the Commission to turn this around.
3 There are many symptoms of the disease of
4 discrimination against OHV recreation. You're getting
5 a clue of the disease itself, which is a
6 discrimination. That's it. Thank you.

7 DON AMADOR: I think I'm actually going to step
8 into another venue related to travel management Forest
9 Service report. Don Amador, western representative for
10 the Blue Ribbon Coalition. I think it's important when
11 we're on a unit, I think it was important to know
12 yesterday, that besides the BLM we also had the Forest
13 Service in attendance. I want to thank the regional
14 office for sending their trail professional from their
15 trail staff from the regional office to come to this
16 meeting.

17 I also wanted to commend the Shasta-Trinity
18 National Forest for the great travel management job
19 they've been doing lately. Over the last couple of
20 years, they've hired for the first time ever -- this
21 forest has never had an OHV program, mostly been a
22 water-based program, Trinity Lake, Shasta Lake. After
23 their initial travel management plan, which all of us
24 felt was inadequate, they decided to take another
25 direction. The forest supervisor got involved, hired a

1 trail coordinator. And as we speak today, they've got
2 four or five post Subpart B project-level trail efforts
3 going on throughout their forests.

4 So I just wanted to report to the Commission on
5 a TMR forest that's actually doing some good work,
6 doing what they promised, and hopefully you can get out
7 and tour some of that some day. So I just wanted to
8 give some kudos to the local Forest Service.

9 JOHN STEWART: John Stewart, California
10 Association of 4-Wheel Drive Clubs.

11 I appreciate what Amy is saying, and I know
12 everybody has their opinions on things that come up.
13 I've looked at many Science Synthesis that the Forest
14 Service has generated. I don't quite share the same
15 level of concern as expressed. And especially seeing
16 how this Science Synthesis -- is it perfect? No. Does
17 it go a little heavy on editorializing on some of its
18 comments? Yes.

19 But I'd like to point out that the Forest
20 Service is also, within this new planning rule, they're
21 committed to trying to find new approaches in working
22 with stakeholders in new ways to articulate what is
23 going to happen.

24 This Science Synthesis is a collection of the
25 present known science and data as it relates to the

1 topical areas. Forest Service admits there are many
2 holes in it. That's why they have created that living
3 assessment that will go along with it. And I've
4 checked with other forests throughout the nation,
5 they're also going under these deals, this early
6 adopter type basis. There are eight forests
7 nationally, three of them in California. Each forest
8 is undergoing a similar Science Synthesis development,
9 and a similar living assessment process, although these
10 living assessment deal with the eco region or the
11 landscape of the forest that they will impact. The
12 living assessment as it is being crafted is flushing
13 out and making the Science Synthesis a much fuller and
14 complete document.

15 And that is the true point of where the forest
16 plans will develop from, is one its living assessment
17 is complete, that is actually the Science Synthesis,
18 not, you know, what is being published and put out
19 right now is a draft that's Garrett and them, they can
20 feel free, they can chime in and say I'm wrong, but
21 everything that's been put out by the Forest
22 Region Five officials is that's what's coming up is
23 this living assessment will be the Science Synthesis,
24 and that will serve as the basis for the forest
25 planning process as it moves forward.

1 I've had some extensive conversations with
2 Ron Pugh, the lead for the forest planning process, and
3 that's direct from him. So like I said, I don't
4 believe that the document as released is perfect. I
5 see some holes in it, lack of information, and I also
6 see a little bit heavy on editorializing. But once I
7 get in and start reading, then the living assessment,
8 which the Forest Service is publicizing, then that is
9 filling in the extra holes.

10 CHAIR SLAVIK: Anyone else? I know there were
11 some green cards.

12 DAVE PICKETT: Dave Pickett, District 36. I
13 want to stay kind of generic on the Forest Service.
14 I'm going to try my hardest to pay attention to what
15 our new Commissioner Cabral said about civility, and
16 it's getting harder and harder and harder with the
17 Forest Service. And you heard me say this before.
18 Here again, you requested Kathy Mick to be here. She's
19 the OHV coordinator. When is the last time we've seen
20 her? Unacceptable.

21 As Amy pointed out, the amount of money that
22 we've given them is just -- it's got to be close to
23 \$200 million. They can't survive without OHV money to
24 run this OHV program in the state. We know that. We
25 support the grants the best we can, the riding,

1 et cetera, et cetera. But this -- no disrespect to
2 Garrett at all, but.

3 Amy also alluded to supplemental funding that we
4 gave to Region Five to distribute to the forest as
5 supplemental funding so we can get this travel
6 management program right the first time. And yet again
7 the Forest Service has dropped the ball, and it's just
8 like the planning rule. I haven't quite got the old
9 planning rule down pat, okay? And it gets old, and add
10 the litigants that are stepping in suit after suit
11 after suit, and it seems the Forest Service, they leave
12 a hole somewhere, they don't do their job. I hate to
13 use the word incompetence, but look at the Eldorado.
14 There's a lot of people in this room that have never
15 known the Eldorado that was not involved in a lawsuit
16 filed against them for issues where they didn't follow
17 their own rules or follow the rules that were set in
18 place.

19 This is really getting old, and it's our money
20 that you guys need to administer. And most of you
21 sitting up there may not even know about the old
22 stakeholder program that we had, where we had Forest
23 Service representatives, we had the partners in the
24 room, we had the environmental community, we had the
25 OHV community. I know some of this is rhetoric, but

1 for the new folks that weren't there, those like
2 myself, Nick, Don Amador, Bramham, and some of the
3 others, promises were made and promises were not kept.

4 And it's getting old because, as Phil alluded,
5 we are running out of money. They keep borrowing it,
6 never paying it back. Our grant program is a joke with
7 the dollars that were cut. We can't fund our partners,
8 and it's almost like anti-OHV folks are attack, attack,
9 attack, attack. So the Forest Service to me has got to
10 be on the ball. If Kathy won't show, I'll send her a
11 letter saying her time is done. Where is Rich
12 Harrington when you need him? Thank you.

13 CHAIR SLAVIK: Commissioners.

14 CHIEF JENKINS: Can I just say one thing, Chair?

15 I just have to add in there, while I understand,
16 Dave, your frustration neither Kathy nor Jane
17 Arteaga -- I spoke with both agencies. Because of the
18 sequestration, all other issues aside, they just have
19 severe limits on their ability to travel right now.

20 So with all respect, but in this case -- I know
21 it's been a frustration for a long time, so I'm not
22 excusing her, trying to make excuses. But this time
23 there is a very valid reason why those two coordinators
24 may not be here.

25 CHAIR SLAVIK: Maybe we ought to put a travel

1 budget in their grant request.

2 CHIEF JENKINS: I asked about that, quite
3 frankly. I asked BLM if we had a cost agreement on the
4 state board commission, would that allow Jane to come
5 to this meeting. And the answer is in this case, with
6 the sequestration and the rules surrounding it, no.
7 Even if there is an outside funding source, their rules
8 coming down from Washington on travel is so strict that
9 neither of those two individuals, even if we were
10 funding their travel, would be allowed to come to this
11 meeting. That's beyond their control.

12 COMMISSIONER PEREZ: What about video
13 conferencing? I mean we do a lot of them in education.
14 She can be on the screen answering questions.

15 CHIEF JENKINS: I will approach them about that.
16 We have video conferencing capabilities in Sacramento.
17 Getting it sometimes in the remote locations like the
18 hotels has been an issue in the past, but with the
19 technology we have available now, we will perhaps work
20 with Debbie and some others on staff and see if that's
21 an option. That's a great suggestion.

22 COMMISSIONER CABRAL: I'm an avid national
23 Forest Service user, and I absolutely love the national
24 forest in the State of California. Because of my
25 constant time spent out there, I have a number of

1 issues with the Forest Service in a lot of areas, and
2 this is I'm going to kind of split this up into two
3 things.

4 One would be the -- actually I kind of question,
5 I have some notes here. I kind of question just the
6 basic management practices. Most of the people I've
7 met on the ground in the forest as far as the employees
8 are incredible. They are the most helpful, awesome
9 people that I've never run into, very knowledgeable and
10 very much want to assist you.

11 But if you go -- and the time that the forest is
12 most heavily used is on a Saturday or Sunday and
13 weekends. And here I look at the grant request that I
14 just looked at here asking for all of this money for
15 enforcement or if they want to do a riparian job
16 because someone destroyed an area that would have been
17 not destroyed if someone was actually there doing some
18 enforcement work on the weekends.

19 I have no idea why the forest office is not
20 closed on the Tuesday and Wednesday and opened over the
21 weekends. It makes map availability problematic, which
22 probably comes from a grant from us. What happens with
23 that is that, you know, a box like the old-style mail
24 box will have three or four maps of them, and most the
25 time it's empty. I've rarely seen one filled and the

1 offices are closed. So expecting people that are
2 ignorant to be on trails and they're unenforced, to me
3 I look at basic management, that doesn't make sense.

4 The other thing is that we have on the agenda on
5 the business item, it is Section B, proposed drafting
6 letters to the USFS regarding the USFS Science
7 Synthesis. I think that's what's been presented by Amy
8 and just some of the general feedback, yes, this is a
9 kind of -- I haven't read the whole thing. It looks
10 like it's a rather long document. But for a long
11 document, it certainly doesn't have much in the way of
12 any information as far as motor vehicle use. It's not
13 accurately accounted for in my opinion.

14 So I think maybe if we craft a letter letting
15 them know that it's not -- and I'm not talking about
16 just off-highway vehicles. I'm also talking to
17 vehicles that can drive their whatever type of vehicle
18 they want to a trailhead on the dirt road, that in my
19 opinion is off-highway vehicle use since there's road
20 vehicles, too. But that would be one area that I think
21 we should note in that letter if we're going to do
22 that.

23 And then also we may want to remind that the
24 grants are based on a score basis at some point and
25 this could affect their scoring if they continue to

1 leave us out of the process.

2 CHAIR SLAVIK: Anybody else?

3 COMMISSIONER KERR: What exactly are our
4 options?

5 CHAIR SLAVIK: I think maybe another question
6 would be has staff been engaged in the Science
7 Synthesis process at all, and where did we go from
8 there?

9 CHIEF JENKINS: Define "engaged".

10 At this point we've been watching the process,
11 monitoring it. Quite frankly, my response to looking
12 at the Science Synthesis, looking at the information
13 that's been gathered, we tend to take an approach of if
14 there's not enough studies in there about OHV, rather
15 than throw rocks at the Forest Service for not
16 including more studies about OHV, it's an honest
17 assessment of our role in this, we've done enough to
18 ensure that good science is being done so that it's
19 available to the Forest Service when we go to collect a
20 set of reports about this.

21 I was just making notes here to myself as I
22 listened to the various comments and suggestions, and
23 remembering over the last several years, one of our
24 discussions in-house has been that there's not enough
25 science, there's not enough hard science. Because one

1 of our strategic plan goals that the Commission and
2 Division put together, you guys approved, was that we
3 would make data-based decisions. Right now science
4 tends to be driven by a problem arises, somebody does
5 some science to try to sort it out.

6 Perhaps what we should begin to do as a program
7 together is we look at how to prioritize how we spend
8 some of our research dollars, in other words, sweeten
9 the pot on some of those grants, so that we can engage
10 academics in doing proactive research about the cost
11 benefit analysis to the environment of a holistic OHV
12 recreational program. For instance, if you were to
13 look at the program we looked at yesterday and looked
14 at it on the landscape scale, what's the net benefit to
15 the environment on that, who is doing that research.
16 If nobody is doing it, we should be involved in trying
17 to find people to do it, help finance to do it.

18 So we are watching from the sidelines. We have
19 not been directly involved with the Forest Service on
20 that project.

21 COMMISSIONER MURPHY: One of the things that
22 Ms. Granat mentioned was that the Forest Service seems
23 to be -- regarding OHV, it's not a priority to them.
24 That's what it seems. Is there any way that we can
25 have somebody from the Division be part of these

1 scientific studies so that there is a little more
2 equity there as far as representation or how can that
3 be accomplished?

4 CHIEF JENKINS: Just to be clear, we wouldn't be
5 part of the studies. The studies are done by
6 independent scientists, so we would let them do what
7 they do. I think you're talking about assimilating how
8 do you interpret the studies, I think is what you were
9 getting at, and I don't know.

10 I mean we can certainly speak with the Forest
11 Service about where they are. This is specific
12 research by Pacific Southwest Research Station, and we
13 have had some dealings with them in the past, limited
14 dealings, but I think the point is what we're all
15 hoping for is objectivity in looking at all of these
16 data.

17 Maybe I'm Pollyanish, but my starting position
18 is that I hope that they are being objective and not
19 subjective about it. Quite honestly, I tried to catch
20 up on the background on this getting ready for this
21 meeting, and I'm just not as fully informed as some of
22 the community clearly is. So Chris has been trying to
23 tutor me on this. I will commit to looking at it more
24 closely and talking to our contacts in the forest.

25 But at this point I'm not prepared to say

1 personally from me as my role here in the Division what
2 I think we should do about this because I haven't
3 studied it closely enough. Heard a lot of real
4 interesting things today, but I will commit to you all
5 is that we will take a look at it and report back in a
6 future Commission meeting.

7 COMMISSIONER MURPHY: Just one more thing to
8 that, is there any way that we can ask them to include
9 the socioeconomic impacts of having people in the
10 forest? I mean we are part of the environment, too.
11 People, off-roaders, is there a way that they can
12 include that, what the impacts and benefits are? Is
13 that something that can be done as well alongside the
14 science of the environmental?

15 OHV STAFF HUITT: If I may, Chris Huitt,
16 environmental program manager. That is one of the last
17 major components of the document is a socioeconomic
18 cultural component that is part of their study. So
19 that is part of their study so that it does discuss
20 that in detail.

21 CHAIR SLAVIK: Sylvia, real quick please because
22 we do need to wrap up.

23 SYLVIA MILLIGAN: Sylvia Milligan, chairperson
24 of Recreation Outdoors Coalition. I have been in the
25 forest a number of times when they have done those

1 surveys. Of course, I was in a jeep, and I looked at
2 the survey. And I took it to the forest supervisor and
3 I said: This survey is not adequate. You are asking
4 all kinds of questions, but you just recently locked
5 out the quads and the dirt bikes, so they have no say
6 in this survey at all. They're afraid to come into the
7 forest right now for fear of getting a ticket. So none
8 of them around there to fill out these forms, and she
9 says: Oh, you're right, I guess we screwed up.

10 COMMISSIONER KERR: So it sounds like we might
11 hear about potential research projects in the future
12 which we have funded in the past in or out of the grant
13 program.

14 You mentioned something on the tour yesterday I
15 wanted to kind of double check on. You said that a
16 person applying for a grant is scored in two ways. One
17 is the history of that organization and how successful
18 it had been in the past, and then the other way to
19 score is on the individual merits of the particular
20 project they're asking for the money for.

21 So over the last couple of years, I've heard a
22 lot of negative comments about the Forest Service and
23 the way that they -- their performance on some of the
24 grants that we have given them. So are they now
25 scoring lower on their grant applications as a result

1 of this because their organization has failed to
2 deliver on past grant objectives?

3 CHIEF JENKINS: I think to comment on that, as
4 the Forest Service scoring one way or another, would be
5 an oversimplification. We do it applicant by applicant
6 throughout the forest. So an individual forest will
7 put in for a grant. Some of the forests have
8 outstanding records. Somebody had commented earlier,
9 had said they had good experience on the ground but not
10 with on-the-ground staff.

11 Like any organization, my own included, you go
12 some places, you get a really strong program. You go
13 another place, it may not be quite so robust. I
14 wouldn't generalize and say the Forest Service has done
15 poorly.

16 COMMISSIONER KERR: There are individual forests
17 that are suffering because of the forest --

18 CHIEF JENKINS: There are individual forests
19 that don't score well.

20 CHAIR SLAVIK: Okay. I think we need to
21 conclude here soon. Let me finish on the Forest
22 Service side first.

23 Chris, are you aware of the National Off-Highway
24 Vehicle Conservation Council's information hotline if
25 you will?

1 OHV STAFF HUITT: No, I am not.

2 CHAIR SLAVIK: I would suggest you look at
3 NOHVCC.org. They're an OHV education organization
4 essentially. They're a good resource, let me put it
5 that way. I think there is a lot of stuff out there.
6 There are several universities that have done surveys,
7 OHV surveys that are peer reviewed. And the Forest
8 Service in Region Five doesn't even know anything about
9 it.

10 Quite frankly, this thing scares me. I've never
11 seen yet a study done by, let's say, the Forest Service
12 in this case, practically any agencies would do it, but
13 the Forest Service, especially where we came out
14 anywhere near objectively ahead. We get basically
15 screwed.

16 OHV STAFF HUITT: The Stewards of Sequoia
17 provided many pages of documents that were
18 scientifically peer reviewed and were scientific
19 studies that were done to support OHV activity and
20 recreation in the national forest in similar types of
21 venues that you would find in the Science Synthesis.
22 What I could do is look at those and then report back.

23 CHAIR SLAVIK: So they're not related?

24 OHV STAFF HUITT: They are related, yes. And
25 that was one of the major comments that they had to the

1 Forest Service is that they were not peer reviewed deep
2 enough or had not looked at what they had provided.

3 CHAIR SLAVIK: Okay. Thank you. Do we need to
4 take any action at this point?

5 I think directing staff to continue to look into
6 it. And Chris is your resource, so we've got a
7 scientist that's doing this.

8 COMMISSIONER KERR: Look harder and try to
9 comment.

10 CHIEF JENKINS: We'd be happy to continue to
11 look into this more deeply, talk to more members of the
12 community out here. My apologies not being better
13 informed walking in the door here. I feel guilty now
14 that I got that darn award up there, and I'm a little
15 behind the eight ball.

16 But we will engage for the forest and the
17 community and come back to the next meeting with a lot
18 more information.

19 **AGENDA ITEM V(C) BUSINESS ITEM PROPOSAL TO DRAFT A**
20 **COMMENT LETTER REGARDING THE ELDORADO NATIONAL FOREST**
21 **42 ROUTES DRAFT SEIS**

22 CHAIR SLAVIK: While we're talking about the
23 Forest Service, Item C, Eldorado National Forest draft
24 SEIS, is there any action we want to take on that?

25 Dan, you had something to talk about?

1 OHV STAFF CANFIELD: Dan Canfield, OHMVR
2 Division. Following up on Garrett's presentation,
3 Commissioners, you have a report in your binders behind
4 Tab No. 9. It's a business item. Basically
5 summarizing, the Eldorado National Forest has 42 routes
6 that are closed as a result of some court action.
7 Eldorado National Forest has done some additional
8 studies and published the Supplemental Environmental
9 Impact Statement, SEIS, which is currently out for
10 public review for April 8th. This report is included
11 in your agenda as a business item in case the
12 Commission wanted to take action on the supplemental
13 EIS during the comment period.

14 CHAIR SLAVIK: Interest in a subcommittee to
15 take a look at this and draft a comment letter?

16 COMMISSIONER KERR: Yeah, there should be a
17 letter. We could authorize you to write it for that
18 matter.

19 CHAIR SLAVIK: I could write it. You guys could
20 draft it.

21 COMMISSIONER KERR: Is there any discussion? I
22 guess there's Alternative 3 and 4 looked kind of -- I
23 don't know which the Commission is interested in
24 recommending.

25 CHAIR SLAVIK: Dan, you have a comment?

1 OHV STAFF CANFIELD: Thank you,
2 Commissioner Kerr. The draft supplemental EIS does
3 have four proposed alternatives ranging from no action
4 to providing a preferred alternative, to provide folks
5 the opportunity to comment on one of the alternatives
6 or a modified version of one of the alternatives is
7 often the comment.

8 CHIEF JENKINS: So if you'd like to have us work
9 with you, with the subcommittee to draft a letter from
10 the Commission, all we need is to vote on that, that we
11 would work with a subcommittee on just the general tone
12 of the letter the subcommittee would put together.

13 CHAIR SLAVIK: Appoint a subcommittee first. I
14 would be happy to be on it.

15 COMMISSIONER CABRAL: I'm not up on this
16 subject.

17 CHAIR SLAVIK: I'm not up on it either. As a
18 subcommittee, what we do is look at the situation, talk
19 to Dan, talk to Chris.

20 COMMISSIONER CABRAL: I'm up for that.

21 CHAIR SLAVIK: We're not going to do this right
22 now.

23 COMMISSIONER KERR: You're the Forest Service
24 guy.

25 COMMISSIONER CABRAL: I got you there.

1 CHAIR SLAVIK: You signed up for this. So we
2 have a subcommittee.

3 COMMISSIONER KERR: We have to also vote to send
4 the letter. I so move that the subcommittee comes up
5 with a letter and you're authorized to send it on
6 behalf of the entire Commission.

7 CHAIR SLAVIK: Call for a second, I should say.

8 COMMISSIONER MURPHY: Second.

9 CHAIR SLAVIK: Call for a vote.

10 (Commissioners simultaneously voted.)

11 CHAIR SLAVIK: No abstentions. Motion passes.

12 So Slavik and Cabral are on the subcommittee.

13 And we have a timeline to deal with, April 8th.

14 **AGENDA ITEMS V(D, E, F) - BUSINESS ITEMS**

15 CHAIR SLAVIK: Items D, E, and F, look at these,
16 and I think we can actually hold these for a later
17 meeting. I know we talked about the weekend meeting
18 schedule. As it so happens, our next meeting is going
19 to be the Hangtown Motocross, and we will meet on a
20 Friday, and the field tour will be at the motocross on
21 the Saturday. So we can bring the subject up. I know,
22 Don, that was something that you're interested in.

23 DON AMADOR: I have a conflict that weekend. If
24 you don't want to address it now, I'll just send my
25 comments.

1 CHAIR SLAVIK: I understand what your issues
2 are, and I think they are other valid issues. We'll
3 just have a short discussion, but we're running out of
4 time right now. Several of us have got to get to
5 Sacramento.

6 L.A. County Staging Area was another item on the
7 business item here. And that was basically an FYI.
8 Subsequently after we put this on the agenda, we found
9 out that we really can't submit a letter in support of
10 this, okay, even though it's a great project, we all
11 love it. And hopefully we can do some things in the
12 future to help further the cause. We need to have some
13 OHV in L.A. county, a dire need for a long time.

14 Any closing comments by Commissioners?

15 Call for a motion to adjourn?

16 COMMISSIONER KERR: So moved.

17 COMMISSIONER MURPHY: Second.

18 CHAIR SLAVIK: Call for a vote.

19 (Commissioners simultaneously voted.)

20 CHAIR SLAVIK: Meeting adjourned.

21 (Meeting adjourned at 4:10 p.m.)

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